

CO5 – Sane Energy Project (cont'd)

20131209-5067 FERC PDF (Unofficial) 12/8/2013 7:11:49 PM

CO5-2 **TRUE.** In many homes, the source of radon is the ground itself, with radon occurring in basements and requiring ventilation to mitigate any risks. However, in New York City, most apartment dwellers are not exposed to radon except through the gas they use in their kitchens, laundries, and boiler rooms.

The majority of readings from recent citywide tests, organized by Sane Energy Project, showed radon levels in the gas supplied to city kitchens in 2011 and 2012 measuring less than .3 pCi/L. Historically, our radon levels have been very low, and we call on that FERC and the EPA, as agencies charged with the protection of the public interest, do everything in their power to keep it that way.

The dEIS reads: "Several factors limit the indoor exposure to radon from natural gas. Radon's half-life, defined as the time it takes for the element to decay to half its initial concentration, is relatively short (3.8 days). The time needed to gather, process, store, and deliver natural gas allows a portion of the entrained radon to decay, which decreases the amount of radon in the gas before it is used in a residence."

CO5-3 **THAT DEPENDS.** Prior to the development of gas extraction via fracking in the Marcellus Shale, the gas coming to New York City was supplied from areas in Texas, Louisiana and the Southwest, traveling long distances and extracted from shale plays the USGS has identified as areas of low radioactivity.

As the USGS confirms, the Marcellus shale play is particularly high in radioactivity; Scientists estimate it is between 10 to 70 times more radioactive than average. With the Rockaway Lateral, along with other and new pipelines, such as the Williams-Transco upgrade at West 134th Street in Manhattan, and the Spectra Pipeline (the last two already online as of November 1st, 2013), all intended to deliver Marcellus gas to the NY and Long Island markets, more and more of New York's gas supply will be coming from high-radon shale plays. Even if the supply is mixed with gas from more distance shale plays, all things being equal, a larger percentage of Marcellus gas is being mixed into the supply, and that percentage will increase as time goes on and other shale plays diminish in production (which is already happening).

The fact that the Marcellus is physically much closer to New York also means that the radon has less time to decay in transit, a matter of hours from drill sites in Pennsylvania. It follows that radon levels in city apartments will therefore be higher as the proportion of Marcellus gas in our supply increases.

During winter months, when demand is higher, gas is delivered faster, and with apartment windows tending to be closed and more cooking being done, the risk would be even greater. The increased exposure could potentially cause an additional 30,000 lung cancer deaths.

We call on FERC to study and report on the expected level of radon in Marcellus versus other sources, before the EIS can be considered complete. We demand that Williams-Transco and National Grid detail the exact source, radioactivity level, and percentage of the gas mix they intend to deliver to consumers.

The dEIS reads: "The required venting of appliance exhausts from water heaters, furnaces, and other appliances also limits potential exposure pathways to radon emissions."

CO5-4 **NOT ALWAYS.** Let's talk about the reality of exhausts in NYC, as opposed to what FERC might assume from reading building code. FERC is likely unfamiliar with actual venting circumstances in NYC apartments, but I am not. As a professional kitchen and bath designer, working for 15 years in NYC, I can attest to the lack of ventilation available, especially in older housing stock, which is the majority of the supply. While newer buildings may comply with current requirements for proper air exchanges, older kitchens almost never do. There are very few "grandfathered" external vents remaining.

CO5-2 Comment noted.

CO5-3 See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO5-4 See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO5 – Sane Energy Project (cont'd)

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CO5-4
(cont.)

The typical New York City kitchen tends to be small, poorly ventilated, and usually without a hood vented to the outside, often without a window. NYC building codes now prohibit external wall vents for cooking appliances and gas dryers, and most apartments have only a recirculating hood or a passive wall vent. Passive vents are connected to other apartments via a vertical duct that releases to the roof. In many buildings, the roof fan that might create a draw through that duct is broken. In many homes, that wall vent is often sealed to block neighbor's cooking odors, exacerbating the problem of poor ventilation.

The reality of New Yorker's busy lives, an apartment-dweller's lack of awareness of proper maintenance, or lack of access in high-rise apartment buildings, means that vents for laundry are rarely, if ever, cleaned, and are usually doing a very poor job of venting. This is discovered anytime we perform a demolition of an existing laundry vent. The answer to, "When was the last time this duct was cleaned?" is always, "Never."

We call on FERC to examine, catalog and report on the actual ventilation situation in NYC apartments and homes before the EIS can be considered complete. The agency and the public should know whether ventilation realities, in combination with potentially higher radon in the gas supply, will endanger public health.

The dEIS reads: "While the FERC has no regulatory authority to set, monitor, or respond to indoor radon levels, many local, state, and federal entities establish and enforce radon exposure standards for indoor air."

CO5-5

THAT'S A PUNT. NEPA, the National Environmental Policy Act of 1970, demands that FERC take the required "hard look" at radon and make a "good faith analysis" of environmental issues connected to any federal project. FERC is clearly not acting in good faith here and needs to take responsibility for protecting the public. The EPA is very much required to enforce radon standards and should not be signing off on this dEIS without intense study of the radon issue.

We call on FERC and EPA to step up and do their duty to protect public health against radon.

The dEIS reads: "It is expected that the combustion of gas transported by the Projects would comply with all applicable air emission standards."

CO5-6

BASED ON WHAT? What exactly are the "applicable standards" FERC refers to? What agency will be monitoring the delivered gas to know if it complies? What exactly gives FERC the expectation that the gas delivered will comply, when the gas supply being delivered after the pipeline goes into service will be different from the gas supply historically delivered?

We call on FERC to supply data that backs up their claim.

The dEIS reads: "In the unlikely event that these standards are exceeded, the necessary modifications would be implemented to ensure public safety."

CO5-7

WHAT MODIFICATIONS AND BY WHOM? There are currently no laws or local codes that require the monitoring or mitigation of radon in natural gas delivered to the homes of consumers. Who does FERC expect will be watching to even KNOW if standards are exceeded? What methods of monitoring will be accepted as standard? Will consumers be required to monitor gas themselves, or will landlords, or will utilities? What method of reporting will be accepted as standard? WHAT modifications would be implemented if radon levels exceed accepted levels, by what agency and how quickly? How and when

CO5-5

See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO5-6

See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO5-7

See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23. The EPA is responsible for regulating radon.

CO5 – Sane Energy Project (cont'd)

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CO5-7
(cont'd) residents will be notified that their gas supply has exceeded regulated limits? What alternative will they be supplied for cooking and heating if their gas supply does exceed limits?

We call on FERC to examine and answer all of the above questions. FERC cannot pass off these unknowns as outside their jurisdiction. If FERC makes the claim that the public safety will be ensured, FERC must supply data and resources to back that claim up.

CO5-8 **The dEIS does not address:** In addition to the inhalation risk, radon and its source, radium, create other problems with pipelines: As the gas travels, decay causes radioactive elements (the so-called, "daughters of radon") to plate out on the sides of the pipelines, eventually creating radioactive "hot pipes." Replacement, disposal, and cross-contamination with nearby water pipes and utilities could be yet another result of the use of high-radon fracked gas.

In apartment buildings, there are multiple rows of vertical gas pipes running through apartment walls for the entire height of the building. Will these pipes become a hazard if the gas running through them becomes dangerously radioactive? How will that additional radiation increase the cancer risk?

We call on FERC to examine and report on the risks of "hot pipes" and how this could affect apartment dwellers, plumbers, maintenance workers, and the crews of the utilities themselves.

Conclusion:

We call on FERC to deny approval of this pipeline until the builder and utilities can PROVE the gas delivered will not contain dangerous levels of radon. We call on the EPA to be proactive, and PREVENT a public health crisis AS IS THEIR JOB.

Your agencies are planning to wait until a health risk presents itself before you will respond, when you should be acting in the public interest NOW.

CO5-8

Neither the EPA (<http://www.epa.gov/radon/>) nor the Agency for Toxic Substances and Disease Registry of the U.S. Department of Health and Human Services (<http://www.atsdr.cdc.gov/toxprofiles/tp.asp?id=407&tid=71>) have identified irradiated pipelines as a concern in exposure to radon. Additionally, we are not aware of any studies identifying this issue as a concern.

CO6 – Sane Energy Project

20131209-5069 FERC PDF (Unofficial) 12/8/2013 2:54:59 PM



Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Docket number CP13-36-000

Dear Secretary Bose,
FERC has determined in its dEIS that the construction and operation of the Rockaway Lateral projects "would result in limited adverse environmental impacts, which would mostly occur during construction." Likewise, the EPA rated the dEIS and the proposed alternative as "Lack of Objections—Adequate," stating their review "has not identified any potential environmental impacts requiring substantive changes to the proposal." As this is the kind of standard boilerplate included in most FERC EISs, we are not surprised, and we strenuously object.

Our objections and questions are being submitted as separate comments organized by dEIS section or topic. We request a direct response by FERC and the applicant to the questions raised, as well as alteration of the EIS to address these concerns.

Thank you for your consideration.

Clare Donohue
On behalf of the 5,302 members of Sane Energy Project

CO6-1 **dEIS SECTION 1.1 PROJECT PURPOSE AND NEED:**

The dEIS states, "Under Section 7(c) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate to construct and operate them. The Commission bases its decisions on technical competence, financing, rates, market demand, gas supply, environmental impact, long-term feasibility, and other issues concerning a proposed project."

Please address the fact that FERC approves more than 99% of all pipelines.
How can nearly EVERY proposed pipeline be considered necessary and of "public convenience," especially when there is such strong public opposition to every pipeline proposed, including the Rockaway Lateral?

Please answer this question: How much weight does FERC give the lack of public demand and the amount of public opposition when deciding to approve a pipeline, versus the "objectives of the applicant" (which can be argued to be not in the public interest)?

Since FERC is supposed to consider the project need. FERC must consider that the claim of increased local demand and stable pricing put forth by the builders of this pipeline is a false premise.

From the dEIS: "Transco's stated objectives for the Projects are to enhance the reliability and flexibility of National Grid's distribution system in New York City and to provide a new incremental supply of natural gas. Transco's objectives are consistent with the energy objectives identified in state and city planning documents." Transco is referring here to the city's new heating oil rules, which require buildings to

CO6-1 See the responses to comments CM2-32, IND100-1, and CO4-2.

CO6 – Sane Energy Project (cont'd)

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CO6-1 (cont.) stop using numbers 4 and 6 heating oil. The law does NOT require buildings to convert to gas, and in fact, better, cleaner options are available.

CO6-2 The dEIS does not in any place address the availability and desirability of alternative fuel sources for heating use, such as biodiesel and bioD blends. Conversion costs for either of those choices are far cheaper and more environmentally sound than conversions to gas, on an individual building basis and more so on a large-scale infrastructure basis.

Sane Energy Project requests FERC to provide an analysis of the use of Number 2 oil, biodiesel and BioD blends as a legitimate alternative to the construction of this pipeline.

CO6-3 In 2011, a total of 10,000 NYC buildings (1% of housing stock) were identified as still using heavy oils. Of that number, approximately 1500 have already converted off heavy oils. The idea that the construction of a new, environmentally destructive, billion-dollar pipeline is needed or desired to supply the remaining 8500 buildings is a false argument.

According to the NYS Energy Plan of 2009 (The most recent completed plan), "80% of New York State's projected 5% gas demand growth [i.e., 4%] by 2020 will be in NYC and LI." However, according to the same data, that baseline is 2007, and after 2010 demand is actually slightly projected downward and then flat until 2020. (Please see page 28, figure 14 of the report found at <http://www.nysenergyplan.com/Prior-State-Energy-Plans/2009stateenergyplan.aspx>.) In other words, the NY State Energy Planning Board itself did not predict ANY increased natural gas demand between 2010 and 2020.

CO6-4 National Grid is not responding to an EXISTING demand, it is attempting to CREATE a false demand by promising building owners incentives and the unsupported promise of long-term low gas prices (which it cannot guarantee) to convince them to convert. The city's Clean Heat program has been slow to supply adequate information to building owners about alternative choices such as Number 2 oil and biodiesel. The heating oil rules have created a frenzy of panic among building owners who are ill informed about their choices and the full impact of the choice of shale gas. The public is making important choices in a rushed swirl of misinformation. Building owners are unaware that their gas fuel costs are guaranteed to rise due to multiple factors such as planned export, limited recoverable reserves, the imminent popping of the shale gas "bubble" that will create a financial crisis and calls for bail outs on the scale of the housing bubble.

The dEIS states that only 100 Mth/d of the total 647 Mth/d, is "new, incremental (i.e., additional) natural gas supply to National Grid." Again, there is a lot of expense, risk and destruction being proposed in the name of a very small amount of unnecessary gas supply.

CO6-5 The argument that gas is cleaner is also a false argument. Even the city's own "Clean Heat" experts have admitted that shale gas produces MORE particulate matter (the primary trigger for asthma) than Number 2 oil and FAR more than 100% biodiesel. Supplies of both liquid fuels are adequate for the needed demand and readily supplied by existing truckers without a need for ANY additional pipelines and without the new environmental harms of pipeline construction and implementation.

CO6-6 The argument that there is a public demand for shale gas is patently false. As the public record shows, the public is demanding these pipelines NOT be built. More than 5,000 comments were filed in opposition to the Spectra pipeline, only 22 were filed in favor, all of those 22 except one were filed by agencies which would benefit financially and politically from the project. More than 300 residents intervened in opposition to the Constitution pipeline; hearings were packed with more than 800 people voicing their positions against it. Of the 227 (and counting) comments filed so far on the Rockaway Lateral, all but 2 are in opposition to the project.

If FERC is truly considering a certificate of "public convenience" for the Rockaway lateral, then it needs to consider that the public DOES NOT FIND THIS PROJECT CONVENIENT.

CO6-2 Alternative fuels are evaluated in Section 3.2.5 of the EIS.

CO6-3 See the response to comment CO4-2.


CO6-4 See the response to comment CO4-2.

CO6-5 Alternative fuels are evaluated in Section 3.2.5 of the EIS.

CO6-6 Comment noted.

CO7 – Clean Air Council

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December 9, 2013

Via E-Filing

Attn: Docket Nos. CP13-132-000, CP13-36-000
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426


Re: Transcontinental Gas Pipeline Company, LLC; Draft Environmental Impact Statement for the Proposed Northeast Connector Project

Dear Secretary Bose,

The Clean Air Council ("Council") hereby submits the following comments on the scope of the Draft Environmental Impact Statement ("Draft EIS") prepared by the Federal Energy Regulatory Commission ("FERC") with respect to Transcontinental Gas Pipeline Company ("Transco")'s Proposed Northeast Connector Project. These comments are timely submitted.

The Clean Air Council is a non-profit environmental organization headquartered at 135 South 19th Street, Suite 300, Philadelphia, Pennsylvania 19103. For more than 40 years, the Council has fought to improve air quality across Pennsylvania. The Council has members throughout the Commonwealth who support its mission to protect everyone's right to breathe clean air.

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CO7 – Clean Air Council (cont’d)

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The Council submitted comments on the scoping of the EIS for the Northeast Connector Project, and now submits these comments on the Draft EIS prepared by the Federal Energy Regulatory Commission (“FERC”) Office of Energy Projects.

I. Cumulative Impacts

CO7-1

At the outset of the section in the Draft EIS concerning cumulative impacts, FERC states that it has limited its cumulative impact analysis to projects and activities that are “generally those of comparable magnitude and nature of impact . . .” (Draft EIS at 4-179). Although the Draft EIS does not explicitly say so, this appears to mean that FERC declined to take into consideration either upstream or downstream development that would foreseeably take place as a result of the increase in capacity that the proposed project would represent. The Draft EIS does explain why FERC opted not to consider development in the Marcellus Shale region, but offers no justification for failing to take account of upstream and downstream development in areas that will be affected by the proposed projects.

Increased capacity in the pipeline will result in increased drilling for natural gas, and increased building of various types of infrastructure necessary to support that additional capacity, all of which will have real and foreseeable environmental impacts, including emissions of air pollutants and greenhouse gases similar to those that will result from the currently proposed projects. The Council on Environmental Quality (“CEQ”) has stated, “for Federal actions that require an EA or EIS, the direct *and indirect* GHG emissions from the action should be considered in scoping,” and these GHG impacts should be considered in the context of the “aggregate effects of past, present and reasonably foreseeable future actions.”¹ As the Council

¹ Council on Envtl. Quality, Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions 5, 9-10 (Feb. 18, 2010) (emphasis added), *available at*:

CO7-1

The Commission's jurisdiction relative to upstream production and gathering activities is discussed in Section 1.3 of the EIS. The Council on Environmental Quality's (CEQ) regulations require agencies to consider the environmental effects of their proposed actions, including: (1) direct effects, which are caused by the action and occur at the same time and place; and (2) indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable (40 CFR 1508.8 [2013]). An impact is “reasonably foreseeable” if it is “sufficiently likely to occur that a person of ordinary prudence would take it into account in reaching a decision” (City of Shoreacres v. Waterworth, 420 F.3d 440, 453 [5th Cir. 2005]). Impacts that may result from natural gas production are not a “reasonably foreseeable” outcome of the Projects, as the term “reasonably foreseeable” is contemplated and defined by the CEQ regulations. The Projects do not depend on additional gas production. An overall increase in nationwide production may occur for a variety of reasons unrelated to the Projects, but the location, scale, and timing of such subsequent production activities are unknown and too speculative to assume, especially given that the supplies that would be delivered by the Projects could originate at any number of points along the interconnected interstate natural gas pipeline grid.

Like upstream production, downstream use of natural gas once it is accepted by the local distribution company is not regulated by the Commission. Additionally, because the Projects primarily would shift existing delivered volumes of natural gas and would increase those volumes by a small amount, we would not expect a significant increase in GHG emissions within the Air Quality Control Region where the natural gas would be used.

CO7 – Clean Air Council (cont'd)

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CO7-1
(cont.) pointed out in its comments on the scoping of the EIS, NEPA's implementing regulations make it quite clear that the definition of indirect effects which FERC should consider as part of its analysis "may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate."² FERC has offered no justification for its decision not to consider such effects in its analysis. The Council urges that a final EIS should take such effects into account wherever they may exist.

CO7-2 The Draft EIS also fails to consider whether the increase in pipeline capacity currently proposed by Transco will foreseeably necessitate further upgrades to the pipeline at a later time and what the likely impacts of such projects would be. Increasing the volume of gas flowing through the portions of Transco's pipeline affected by the proposed projects will likely increase operating pressures in other portions of the pipeline, which often necessitates later upgrades to other portions of the pipeline and/or its associated infrastructure. In analyzing the impacts of the proposed projects, FERC must engage in "reasonable forecasting."³ The fact that such projects may not yet be finalized does not excuse FERC from its obligation to investigate them.⁴ As the Council pointed out in its scoping comments, the definition of cumulative impacts that FERC should consider includes "reasonably foreseeable actions regardless of what agency (Federal or Non-Federal) or person undertakes such actions."⁵ Therefore, the Council urges that in drafting the final EIS FERC should request information from Transco about whether future projects will

http://ceq.hss.doe.gov/nepa/regs/Consideration_of_Effects_of_GHG_Draft_NEPA_Guidance_FINAL_02182010.pdf

² 40 C.F.R. § 1508.8(b).

³ *N. Plains Res. Council v. Surface Transp. Bd.*, 668 F.3d 1067, 1079 (9th Cir. 2011) (quoting *Selkirk Conservation Alliance v. Forsgren*, 336 F.3d 944, 962 (9th Cir. 2003)).

⁴ See EPA, *Consideration of Cumulative Impact Analysis in EPA Review of NEPA Documents*, Office of Federal Activities, 12-13 (May 1999) ("[R]easonably foreseeable future actions need to be considered even if they are not specific proposals.").

⁵ 40 C.F.R. § 1508.7.

CO7-2

As described by Transco, the purpose of the Northeast Connector Project is to increase capacity on Transco's existing system, which would enable Transco to provide National Grid with 100 thousand dekatherms per day (Mtdh/d) of new incremental natural gas supply as part of the Rockaway Project. Transco has not identified, and we are not aware of, any additional upgrades to Transco's system that would be required to support the Projects as proposed.

CO7 – Clean Air Council (cont’d)

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CO7-2
(cont.) eventually be necessitated if the currently proposed projects come to fruition, and if so take into account the air quality and other environmental impacts of those projects.

CO7-3 Finally, FERC's analysis of the cumulative impacts of greenhouse gas emissions from the proposed projects and other past, present, and reasonably foreseeable action is completely insufficient. Rather than making any attempt to analyze the cumulative impact of greenhouse gas emissions from the proposed projects and other past, present, or reasonably foreseeable activities, FERC simply makes the conclusory statement that the GHG emissions *from the proposed projects* would not have any direct impacts in the project areas and that GHG emissions *from the proposed projects* would be negligible in comparison to global GHG emissions. (Draft EIS at 4-193). Considering only GHG emissions from the projects currently under review is simply inconsistent with the concept of a cumulative impacts analysis, with the ultimate result that FERC has abdicated its responsibility to conduct a meaningful cumulative impacts analysis with respect to GHG emissions. Cumulative impact is defined as "the incremental impact of the project *when added* to the other past, present, and reasonably foreseeable future actions."⁶ Indeed, NEPA's implementing regulations are explicit that "[c]umulative impacts can result from individually minor but collectively significant actions taking place over a period of time."⁷ The Council urges that the final EIS contain a meaningful analysis of the cumulative climate impacts from the proposed projects and other past, present and reasonably foreseeable actions.

⁶ 40 C.F.R. § 1508.7.

⁷ *Id.*

CO7-3

As stated in Section 4.13.15 of the EIS, GHG emissions from construction and operation of the Projects would be negligible compared to the global GHG inventory. Additionally, as noted in Section 4.13.13.1 of the EIS, National Grid estimates that the displacement of fuel oil consumption due to the incremental supply of natural gas provided by the Projects could result in a daily reduction of 11,357 metric tons of CO₂ equivalent, which could result in cumulative improvements in regional air quality in New York.

CO7 – Clean Air Council (cont'd)

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II. Alternatives

CO7-4

The Council commends FERC for its fairly extensive analysis of alternatives to the proposed project. (See Draft EIS at 3-1). However, FERC's evaluation of whether various sources of renewable energy could provide reasonable alternatives consistently turns at least in part on an unsupported conclusion that any environmental benefits would be outweighed by negative environmental impacts of renewable projects. For example, when evaluating wind energy as an alternative, FERC simply states "it is . . . unlikely that the environmental impacts associated with construction and operation of the wind energy projects would be significantly less than those of the Projects," without providing any support whatsoever for such a conclusion. (Draft EIS at 3-5). Similar conclusory statements are made with respect to hydroelectric power (Draft EIS at 3-6), biomass (Draft EIS at 3-7), and tidal and wave energy (Draft EIS at 3-8). FERC does not point to any data or studies, or indeed to any sources at all, to support these conclusions that the impacts of these various renewable energy sources would be equal to or greater than those of the proposed projects. The Council urges FERC to evaluate the relative impacts of the proposed projects and these various sources of renewable energy more thoroughly, and to indicate in the Final EIS what data or other sources it has considered in reaching its conclusion.

CO7-4

The referenced sections of the EIS have been updated. Our conclusions are based on the area of impact that likely would be affected, including the area of impact for associated facilities, such as power lines, which would be needed to bring power to facilities.

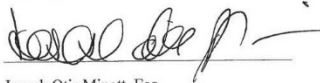
CO7 – Clean Air Council (cont'd)

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III. Conclusion

For the foregoing reasons, the scope of the EIS for the Constitution Pipeline Project should be broadened to reflect the above concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Minott", is written over a horizontal line.

Joseph Otis Minott, Esq.
Executive Director and Chief Counsel
Clean Air Council

CO8 – CUNY School of Law Center for Urban Environmental Reform

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Page 1



Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: CP13-36-000 Proposed Rockaway Delivery Lateral Project

Dear Secretary Bose,

The CUNY School of Law Center for Urban Environmental Reform ("CUER") is writing to express its strong opposition to the proposed Rockaway Delivery Lateral Project ("Rockaway Lateral"). The draft Environmental Impact Statement ("DEIS") for the Rockaway Lateral, released by the Federal Energy Regulatory Commission ("FERC") on October 4, is improperly limited in scope, and violates the National Environmental Policy Act ("NEPA"). Contrary to clear precedent under NEPA, this DEIS improperly segments the pipeline project in order to avoid federal review of the whole project, and to minimize the impacts of the Rockaway Lateral. *See Coalition on Sensible Transportation v. Dole*, 826 F.2d 60, 68 (D.C. Cir. 1987); *Hammond v. Norton*, 370 F.Supp.2d 226, 244 (D.D.C. 2005) (finding it well established that "an agency preparing an EIS may not segment its analysis so as to conceal the environmental significance of the project or projects"). Because the DEIS does not comply with NEPA's requirements, the FERC must reject the application by Williams Companies Inc.'s Transcontinental Gas Pipeline Company ("Williams Transco") for a Certificate of Public Convenience and Necessity concerning this project. This letter also incorporates and supports the environmental justice comments submitted on behalf of CUER by CUER Fellow Ethan Middlebrooks.

The DEIS's principle deficiency is that it reviews only one portion of a series of connected actions that must be considered together in order for the agency to satisfy its NEPA obligations. Williams Transco's ambition for this project is to create a new pipeline network to distribute natural gas from its existing 10,200-mile Transco pipeline off the Atlantic Coast to the New York City market. The proposed 3.2-mile long Rockaway Lateral pipeline, however, will only deliver gas from the Transco pipeline to a location on the Rockaway Peninsula operated by local distributor National Grid plc ("National Grid"). To bring its natural gas to the larger New York City market, Williams Transco is relying on a series of actions from National Grid, collectively known as the Brooklyn-Queens Interconnect ("BQI"), which have not been reviewed in this DEIS. As part of the BQI, National Grid must build a new Metering and Regulating Station (M&R station) at Floyd Bennett Field in Brooklyn, to prepare Williams Transco's natural gas for local distribution. In addition, National Grid must construct new pipeline, through the Gateway National Recreation Area, to transfer the gas from the Rockaway Peninsula location to the

CO8-1

See the response to comment CM1-56.

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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CO8-1 (cont.)	<p>proposed M&R station. Finally, National Grid must build new pipeline to transport the gas from the proposed M&R station to its existing station at Hendrickson Street and Avenue U in Brooklyn, where it can be distributed to the New York City market. In December 2011, the New York City Office of the Mayor, after conducting an Environmental Assessment ("EA") of the BQI, issued a negative declaration, meaning that it would not conduct its own EIS pursuant to the State Environmental Quality Review Act ("SEQRA"). See <i>Brooklyn-Queens Interconnect Assessment</i>, Office of the Mayor, CEQR No. 1200M001K (Dec. 2011).</p> <p>As explained below in detail, the Rockaway Lateral and the BQI are "connected actions" and thus must be reviewed, pursuant to NEPA, in the same Environmental Impact Statement ("EIS"). See 40 C.F.R. 1508.25(a). Indeed, Williams Transco is well aware of this requirement. It has previously attempted to improperly segment other pipeline projects in order to circumvent NEPA review. See <i>Hammond</i>, 370 F.Supp.2d at 226 (overturning a Bureau of Land Management ("BLM") EIS that reviewed only one segment of a larger Williams Transco pipeline proposal).</p> <p>Moreover, the Environmental Protection Agency has voiced its concerns about this improper segmentation, with little response from FERC. See <i>Letter to Secretary Kimberly D. Bose; RE: Docket Nos PF09-08</i>, Environmental Protection Agency, Region 2 (June 11, 2012). Finally, FERC's failure to analyze these projects as a connected action raises serious questions about the adequacy of the DEIS's cumulative impacts analysis.</p> <p>The Rockaway Lateral and Brooklyn-Queens Interconnect are connected actions and must be reviewed in a single Environmental Impact Statement</p> <p>To determine whether a project has been improperly segmented, the proper inquiry is whether the different projects are connected for the purposes of the NEPA. Under 40 C.F.R. 1508.25(a)(1), actions are connected, meaning that they must be analyzed under the same EIS, if they:</p> <ul style="list-style-type: none"> i) Automatically trigger other actions which may require environmental impact statements ii) Cannot or will not proceed unless other actions are taken previously or simultaneously; or iii) Are interdependent parts of a larger action and depend on the larger action for their justification <p>In making the determination of whether projects are connected, courts also consider "whether the proposed [project] (1) has logical termini; (2) has substantial independent utility; (3) does not foreclose the opportunity to consider alternatives; and (4) does not irretrievably commit federal funds for closely related projects." <i>Hammond</i>, 370 F. Supp.2d at 247; <i>Taxpayers Watchdog, Inc. v. Stanley</i>, 819 F.2d 294 (D.C. Cir. 1987); <i>Piedmont Heights Civic Club v. Moreland</i>, 637 F.2d 430, 439 (5th Cir. 1981). The purpose of this rule is to "prevent an agency from dividing a project into multiple actions, each of which individually has an insignificant environmental impact, but which collectively have a substantial impact." <i>Wilderness Workshop v. BLM</i>, 531 F.3d 1220, 1228(10th Cir. 2008); <i>Great Basin Mine Watch v. Hanks</i>, 456 F.3d 955, 969 (9th Cir. 2006). In other words, this rule prevents applicants and agencies from</p>
CO8-2	See the responses to comments CM1-56 and CM1-122.

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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thwarting their NEPA obligations by improperly segmenting projects into smaller components in order to avoid considering their collective impact.

CO8-3 Under this definition, the Rockaway Lateral and the BQI are plainly connected actions that must be considered together under NEPA. Indeed, the Rockaway Lateral and the BQI satisfy all three of the alternatives listed in 40 C.F.R 1508.25(a)(1).

- i) The Rockaway Lateral cannot proceed as planned until the BQI is finalized. *See Coalition on Sensible Transportation*, 826 F.2d at 69 (“the proper question with regard to independent utility is whether one project will serve a significant purpose even if a second related project is not built). As described on Williams Transco’s website, “The project will also involve the construction of a meter and regulator station, which is necessary to measure, condition and control the flow of natural gas before it enters the local natural gas distribution system.” (*emphasis added*). Until the BQI’s pipelines and M&R station are constructed, the Rockaway Lateral’s sole purpose will be to “provide a redundant supply source of natural gas.” *See* DEIS at 1-12 (*emphasis added*). In other words, the Rockaway Lateral pipeline lacks any independent utility without the M&R station and accompanying pipelines included in the BQI. Therefore, it is only when the Rockaway Lateral is coupled with the BQI that Williams Transco can provide natural gas for distribution to the New York City market.
- ii) The Rockaway Lateral and the BQI are interdependent projects intended to serve Williams Transco’s ambition to supply natural gas from its existing Transco pipeline directly to New York City customers. As explained above, the Rockaway Lateral is devoid of any independent utility. Similarly, the primary purpose of the BQI project is to “provide a new delivery point that offers a long-term solution to meet the supply needs of National Grid’s system.” *See* DEIS at 1-12. This purpose is contingent on the construction of the Rockaway Lateral to deliver gas from the existing Transco pipeline. *Id.* (“If the proposed Rockaway project is constructed, then National Grid’s 26-inch-diameter pipeline would serve as a transmission pipeline operating at higher pressures to transmit natural gas over longer distances.”). As is clear, the Rockaway Lateral has no justification when separated from the larger proposal.
- iii) As a stand-alone project, the BQI also raises a number of concerns that should automatically trigger an EIS, none of which have been reviewed in the DEIS. As the city’s EA noted, the Gateway National Recreation Area, where the proposed M&R station would be situated, is home to several observed endangered species. *See Brooklyn-Queens Interconnect Assessment*, New York City Office of Mayor at A-11. Since the Rockaway Lateral has been subjected to a full EIS, Williams Transco has sought an incidental harassment with the National Marine Fisheries Services, pursuant to the Marine Mammal Protection Act, for six marine mammals, including the endangered North Atlantic Rights Whale. *See Request for Incidental Harassment Authorization Under the Marine Mammal Protection Act*, Williams Transco (March 2013). Contrarily, Williams Transco did not even

CO8-3

See the response to comment CM1-56. Impacts on the hangar complex at Floyd Bennett Field and a description of Transco's proposal to rehabilitate the structures are discussed in Section 4.10.1 of the EIS. The Commission, NPS, and New York SHPO are reviewing Transco's proposal to adaptively re-use and rehabilitate the hangars as required under Section 106 of the National Historic Preservation Act (NHPA).

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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CO8-3 (cont.)	<p>bother to take these steps for the BQI because this segment of the project was subject to weaker environmental review. In addition, the proposed M&R facility would be located in two historic hangers at the Floyd Bennett Field, which is listed on the National Register of Historic Places. Both the EA and the DEIS state that Williams Transco has not yet submitted a clear plan for how it intends to construct the M&R station, in accordance with National Historic Preservation Act requirements. See DEIS at ES-5. The EA that resulted in a negative declaration for this portion of the pipeline project was conducted by the Office of the Mayor. However, Mayor Michael Bloomberg's often-stated desire to expand the city's natural gas pipeline infrastructure creates an inherent conflict with the Office's ability to appropriately conduct such an investigation. See <i>PlaNYC: A Greener, Greater New York: Updated 2011</i>, Office of the Mayor, 106 (April 2011) ("We will accelerate the phase out of highly polluting residual heating oil and mitigate future supply constraints by aiding in the development of appropriately-sited natural gas transmission pipelines."). All of these concerns have been insulated from federal review, as intended by Williams Transco. By segmenting this project, Williams Transco not only seeks to avoid a true comprehensive review of its proposal, but a likely stricter federal review of the BQI.</p> <p>In short, the Rockaway Lateral is a wholly arbitrary subdivision of a larger project, apparently created for the purpose of thwarting NEPA review. The Rockaway Lateral "has no independent justification, no life of its own, [and] is simply illogical when viewed in isolation." <i>Friends of Magurewack, Inc. v. U.S. Army Corps v. Engineers</i>, 498 F.Supp.2d 365, 374 (D. Me. 2007). Courts have repeatedly found that NEPA prohibits this kind of segmented evaluation. <i>One Thousand Friends v. Mineta</i>, 364 F.3d 890, 894 (8th Cir. 2004); <i>Save Barton Creek Ass'n v. Fed. Highway Admin.</i>, 950 F.2d 1129, 1139 (5th Cir. 1992). The DEIS fail to evaluate the Rockaway Lateral in conjunction with the BQI even though the two projects are clearly connected. Therefore the FERC must reject the DEIS, and must refuse to issue the requested Certificate of Public Convenience and Necessity until and unless an appropriately inclusive EIS is conducted.</p> <p>Williams Transco has not responded to the EPA's concerns about the improper scope</p>
CO8-4	<p>In improperly segmenting the Rockaway Lateral and the BQI, Williams Transco acted contrary to the EPA's advice. In a letter responding to FERC's Notice of Intent to prepare an EIS, the EPA sent a letter, dated June 15, to FERC Secretary Kimberly D. Bose raising its concerns about the scope of the project. The EPA letter states, in relevant part, that:</p> <p>"A comprehensive evaluation of cumulative, indirect, and secondary impacts should be presented. The cumulative impact analysis should consider the environmental impacts of the National Grid pipeline, <u>without which the Rockaway Delivery Lateral would not be constructed</u>." (emphasis added).</p> <p>This concern is not addressed anywhere in the DEIS. Although FERC included a brief cumulative impacts section in the DEIS, it clearly did not respond to the EPA's recommendation that the Rockaway Lateral and the BQI be considered into one EIS. In other contexts, agency</p>

CO8-4

See the response to comment CM1-122.

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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CO8-4
(cont'd.) failure to respond to EPA concerns about segmentation has been grounds for reversal. *Citizens Against Burlington v. Busey*, 938 F.2d 190, 201 (D.C. Cir. 1991) (finding that BLM's failure to address EPA concerns "brings into question the sufficiency of the agency's analysis."); *Natural Resources Defense Council v. Hodel*, 865 F.2d 288, 297-99 (D.C. Cir. 1988) (agency's failure in FEIS to meaningfully address EPA concerns about cumulative effects analysis in DEIS contributed to determination that FEIS did not comply with NEPA). In this case, the FERC's failure to consider the clearly related projects in one EIS is a red flag. The Rockaway Lateral has no independent utility, and would not be constructed without the BQI. There is no rational basis for failing to include both projects in a single EIS.

CO8-5 Williams Transco has previously violated NEPA by segmenting its pipelines

The Rockaway Lateral is not the first time that Williams Transco has attempted to circumvent the NEPA process by improperly segmenting one of its pipeline projects. In an eerily parallel case in 2005, the D.C. District Court concluded that Williams Transco had segmented a pipeline to conceal the environmental significance of the project as a whole. *Hammond v. Norton*, 370 F.Supp. 2d 226, 244 (D.D.C. 2005). Indeed, the *Hammond* court pointed to precisely this kind of improper segmentation as grounds for concluding that Williams Transco's proposed EIS, which only reviewed one segment of a larger pipeline project, failed to meet the requirements of NEPA. *Id.*

In *Hammond*, Williams Transco proposed a new pipeline project between Bloomfield, New Mexico and Salt Lake City, which consisted of 260 miles of new pipeline and 220 miles of natural gas pipeline that would be converted for the use of petroleum products. These pipelines, however, consisted of only the northern portion of a larger project to connect the Salt Lake City market to the refineries on the Texas Gulf Coast. To build the southern portion, which consisted of pipeline between Bloomfield and Odessa, Texas, Williams Transco partnered with Equilon Pipeline. When the BLM made it clear that it would review the projects together in 1999, Williams Transco and Equilon terminated their partnership, at which point the two companies applied separately for permits covering only their respective portions of the project. Even though the EPA commented that this segmentation ran afoul to NEPA, BLM approved the Williams Transco's permit application for its portion of the project—an application that made no mention of the Equilon portion of the pipeline project. *Hammond*, 370 F.Supp. 2d at 234-35. The plaintiffs in the case argued that the Williams Transco's pipeline lacked independent utility and "cannot function" without being supplied by the Equilon Pipeline. *Id.* at 248. Williams Transco responded that it would have alternative sources of supply its proposed pipeline. *Id.*

The D.C. District Court determined that BLM decision to allow the environmental impacts of this pipeline to be evaluated in two separate EISs was arbitrary and capricious. *Id.* at 247-253. The *Hammond* court concluded that the two pipeline segments were connected actions under NEPA. *Id.* Indeed, the court chastised William Transco for demonstrating a "manifest intention to circumvent the NEPA review process" and reproached the agency for failing to consider whether the project had been divided into segments that were "of real or only formal significance." *Id.* at 251.

CO8-5

Comment noted.

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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CO8-6 William's Transco's Rockaway Lateral proposal is arguably an even more egregious attempt to bypass NEPA review. In *Hammond*, Williams Transco attempted to segment its pipeline project so there would two, incomplete, EISs. Here, Williams Transco is attempting to segment a pipeline project so that it can entirely avoid an EIS for the BQI portion of the project. Much like the improperly segmented pipeline rejected in *Hammond*, the Rockaway Lateral lacks any independent utility without the BQI. The EPA specifically pointed out this problem—its letter explicitly states that without the BQI, “the Rockaway Lateral would not be constructed.” Williams Transco has offered nothing to contradict EPA's clear-eyed assessment of the Rockaway Lateral, nor has Williams Transco demonstrated, as it must, the independent utility of the Rockaway Lateral. *Hammond*, 370 F. Supp. at 248-49 (“any finding of independent utility must substantiate...with record evidence...beyond the mere assertions of Williams representatives or BLM personnel, the existence of...circumstances indicating with reasonable clarity that the Williams pipeline will not rely on the proposed Equilon pipeline.”). Once again, Williams Transco has also disregarded the EPA's advice and sought to sidestep the well-established NEPA regulatory process. In light of Williams Transco's track record, the FERC must do more than merely accept the company's unsupported assertions of independent utility. The agency has an independent obligation of to establish whether the Rockaway Lateral has any independent utility. This DEIS fails utterly to meet that threshold of agency activity and therefore cannot satisfy the FERC's obligations under NEPA.

The DEIS does not adequately examine the cumulative impacts of the Rockaway Lateral and National Grid Pipelines

NEPA mandates that a proper EIS include a full discussion of the cumulative impacts of a proposed project. See 40 C.F.R. 1508.25(a)(2); *Kleppe v. Sierra Club*, 427 U.S. 390, 413 (1976) (“Cumulative environmental impacts are, indeed, what require a comprehensive impact statement”). An EIS must include the cumulative effects of projects outside the agency's jurisdiction if those projects are “interrelated and functionally interdependent” to the proposed action. *Stewart v. Potts*, 996 F.Supp. 668, 683 (S.D. Texas 1998). Courts have been very clear that projects must be evaluated together whenever “proceeding with one project, will, because of functional or economic dependence, foreclose options or irretrievably commit resources to future projects. *Fritofson v. Alexander*, 772 F.2d 1225, 1241 n. 10 (5th Cir. 1985). Under 40 C.F.R. 1508.7, cumulative impacts are defined as:

“the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.”

CO8-7 The DEIS's brief, boilerplate, cumulative impacts section falls far short of this mandate. Although the DEIS includes a small section on cumulative impacts, it is unclear whether FERC gathered or received this information independently on the BQI, or relied entirely on the city's negative declaration. In addition to the reasons described above, FERC should not rely on the Office of the Mayor's EA because this review did not consider the environmental impact of the BQI in light of the cumulative effects with the Rockaway Lateral. In fact, the EA includes no

CO8-6 See the responses to comments CM1-56 and CM1-122.

CO8-7 See the responses to comments CM1-19 and CM1-56.

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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CO8-7
(cont.) mention of the potential environmental impacts of Rockaway Lateral and regardless, an EA is only meant to provide a brief, preliminary environmental review of a proposed project, and is not meant to provide the type of extensive environmental analysis conducted in an EIS. *See* 40 C.F.R. 1508.9. Although the BQI is outside FERC's jurisdiction, the agency must still review the impacts of this project, in order to fully analyze the Rockaway Lateral in accordance with the NEPA. *See Stewart*, 996 F.Supp. 668. Since the Rockaway Lateral and BQI are connected actions, and thus "interrelated and functionally interdependent," the present DEIS does not suffice to analyze these projects cumulative effects. *Stewart*, 996 F.Supp. at 683.

Conclusion

CO8-8 The DEIS for the proposed Rockaway Lateral violates federal law. Under clear NEPA precedent, the Rockaway Lateral and the BQI are connected actions and must be reviewed under the same EIS. Given its track record, Williams Transco should be well aware of this. Indeed, in past similar situations, Williams Transco has demonstrated a manifest intention to circumvent the NEPA process by improperly segmenting its pipeline proposals. There is no dispute that the entire purpose behind the Rockaway Lateral is to connect its existing Transco pipeline to the New York City market. William Transco says as much, as does the EPA. The Rockaway Lateral is only a small portion of a much larger project that involves the National Grid and the construction of the BQI. The people of New York have a right to know the full environmental harms and impacts produced by these projects. If this DEIS moves forward in its present form, FERC will have abdicated its duty and allowed Williams Transco to unjustifiably skirt its NEPA obligations.

Sincerely,

Andrew Jones
Fellow, Center for Urban Environmental Reform

About the CUNY Center for Urban Environmental Reform (CUER)

CUER is a justice initiative at CUNY School of Law dedicated to developing new avenues of participation and new opportunities for citizen empowerment in environmental decision-making. Drawing from the emerging human rights norms of participation, access to information, transparency and intergenerational equity, CUER seeks to revitalize participatory environmental decision-making to help community members, scholars and policymakers communicate in a way that leads to better, more sustainable decision-making. In doing so, the Center facilitates important social conversations about the acceptability of environmental risks and the need for their equitable distribution.

Many of the standard techniques of environmental decision-making reduce society's ability to include issues of distributive justice and overall fairness in the decision. As a result, environmental policies have been repeatedly accused of perpetuating environmental injustice — with poor and minority communities consistently allocated a larger share of environmental bads while having access to fewer environmental goods. CUER's emphasis on environmental citizenship is an attempt to surface these justice dynamics that are too often ignored. Framing

CO8-8

See the responses to comments CM1-19, CM1-56, and CM1-122.

CO8 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

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environmental choices as questions of fundamental equality in a political community, rather than as private choices about property, helps emphasize the role that power, access to information, and inequality play in shaping environmental outcomes.

CO9 – Coalition Against the Rockaway Pipeline

<p>Coalition Against the Rockaway Pipeline 172 Fifth Avenue, PMB 126, Brooklyn, New York 11217</p>	
<p>December 7, 2013</p>	
<p>ORIGINAL</p>	
<p>Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20426</p>	<p>2013 DEC -9 A 11: 43 FEDERAL ENERGY REGULATORY COMMISSION</p>
<p>Jeff C. Wright, Director Office of Energy Projects 888 First Street, NE Washington, DC 20426</p>	<p>FILED SECRETARY OF THE COMMISSION</p>
<p>Re: Request for Extension of Comment Period in connection with Draft Environmental Impact Statement (DEIS) for the combined dockets Docket CP13-36-000 Proposed Rockaway Delivery Lateral Project, and Docket CP13-132-000 Proposed Northeast Connector Project</p>	
<p>Dear Secretary Bose,</p>	
<p>CO9-1</p>	<p>In light of the redesign of this project and significant changes in the construction schedule—from winter to summer construction—the Coalition Against the Rockaway Pipeline requests a 120-day extension of the comment period and other remedies.</p> <p>On October 4, 2013, FERC issued the DEIS for the Rockaway Delivery Lateral Project.</p> <p>On October 18, 2013—2 weeks after the DEIS publication and only days before the public hearings in Rockaway, Queens, and Brooklyn—Williams Transco (hereafter Transco) submitted 543 pages of new documentation. This documentation included:</p> <ul style="list-style-type: none">• New sediment modeling studies based on options of dredging methods only recently discussed and still not finalized• Over 350 pages of impact revisions: 2 volumes of revisions to the critical Essential Fish Habitat Assessment and Biological Assessment, and 1 volume of changes to Transco's Request for Authorization of Incidental Harassment under the Marine Mammal Protection Act

CO9-1

See the responses to comments CM1-1, CM1-14, and CM1-122.

CO9 – Coalition Against the Rockaway Pipeline (cont'd)

CO9-1
(cont.)

- An Addendum to the NYS Coastal Zone Consistency Assessment (CZCA), which “supersedes the January 2013 CZCA and provides Transco’s amended policy conclusions per the revised proposed Project construction schedule and modifications to the proposed action” [20131018-5181(28841325), p461]
- The stunning announcement that Transco is planning to carry out construction during the summer months—the period of greatest activity in the park and the marine environment

On November 5, 2013—a full month into the DEIS comment period—Transco submitted yet another set of documents: 555 pages of design and construction documents and SHPO correspondence.

And more changes can be expected. In fact, a week after the DEIS was published, Transco’s consultant, Ecology & Environment, notified the NYS Department of State that “Transco’s evaluation of the revised schedule and changes to the proposed action have been ongoing and will continue.”

According to FERC, “The draft EIS assesses the potential environmental effects of construction and operation of the Projects.” Yet how can we the public assess these “potential environmental effects” **if the DEIS is based on an entirely different construction schedule with an entirely different set of impacts than the one that Transco is now proposing?**

In the original proposal, Transco repeatedly pointed to the winter construction schedule as the primary method for mitigating negative impacts on marine biology. In its new proposal, Transco clearly recognizes that the proposed summer construction schedule and project modifications will result in “greater potential for Project impact” [20131018-5181(28841325), p461], **yet the DEIS discusses none of these impacts.**

The purpose of the comment period is to provide the public with the best available analysis of the *actual* project and its projected impacts, to allow the public sufficient time to digest the material and add its voice to the discussion. Given the radically changed nature of the project, this is not possible without a significant extension in the comment period.

The docket on this project is vast, the DEIS is of considerable size, and during the time that has been allotted for commenting on the DEIS, reams of additional documentation have been added. The present comment period is simply too short; there is not sufficient time to review all that has been put before us.

In fact, *FERC* has not made it clear which project the public is being asked to comment on: the original project, assessed in the DEIS? Or the entirely new project emerging from the more than 1000 pages of documentation submitted by Transco since the DEIS was published?

CO9 – Coalition Against the Rockaway Pipeline (cont'd)

CO9-1
(cont.)

The new information submitted by Transco lacks the vetting provided by the FERC process. It directly contradicts the original proposal. For these reasons, we are requesting that FERC:

- Extend the current comment period to allow the public sufficient time to assess Transco's new proposal
- Issue a new draft EIS consistent with the project Transco is now proposing
- Issue a new public notice, one that is designed to reach the true stakeholders in the project, namely, the millions of New Yorkers who use Gateway National Recreation Area every year

This latter request is necessary to compensate for the fact that the National Park Service successfully—and deliberately—hid this project from the public.

Sincerely,

Martha Cameron
Co-Coordinator
Coalition Against the Rockaway Pipeline

Maureen Healy
Co-Coordinator
Coalition Against the Rockaway Pipeline

Edie Kantrowitz
Co-Coordinator
Coalition Against the Rockaway Pipeline

Cc: Kara Harris
Environmental Project Manager
Office of Energy Projects

CO9 – Coalition Against the Rockaway Pipeline (cont'd)

Coalition Against the Rockaway Pipeline
172 Fifth Avenue, PMB 126, Brooklyn, New York 11217

December 7, 2013

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426


Re: Docket CP13-36-000 Proposed Rockaway Delivery Lateral Project

Dear Secretary Bose,

Enclosed with this letter are 84 comment letters to FERC regarding the proposed Rockaway Delivery Lateral Project.

Each writer/signer asks FERC to refuse the requested Certificate.

Sincerely,



Maureen Healy
Co-Coordinator
Coalition Against the Rockaway Pipeline

Cc: Kara Harris
Environmental Project Manager
Office of Energy Projects

CO9 – Coalition Against the Rockaway Pipeline (cont'd)

The attachments to this comment letter are included with the Individual comment letters (see Form Letters 1 and 2) and are also available for viewing on the FERC website at <http://www.ferc.gov>. Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket No." excluding the last three digits (i.e., CP13-36, CP13-132, PF09-8), and follow the instructions. For assistance please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, contact 202-502-8659. The Category/Accession number for this submittal is 20131209-0025.

CO10 – CUNY School of Law Center for Urban Environmental Reform



Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: CP13-36-000 Proposed Rockaway Delivery Lateral Project

Dear Secretary Bose,

CO10-1 Thank you for the opportunity to comment on the draft Environmental Impact Statement ("DEIS") for the proposed Rockaway Delivery Lateral Project ("Rockaway Lateral"). The CUNY School of Law Center for Urban Environmental Reform ("CUER") is opposed to much of the flawed DEIS released October 4 by the Federal Energy Regulatory Commission ("FERC"). CUER is taking this opportunity to voice its concerns with the manner that the FERC conducted the Environmental Justice analysis in the DEIS. This letter also incorporates and supports the comments submitted from CUER by Andy Jones.

Environmental Justice Analysis

Executive Order 12898 ("E.O. 12898") calls on "each Federal agency" to make achieving environmental justice part of its mission. Executive Order 12898, Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Population, 59 Fed. Reg. 7629 (Feb. 11, 1994). "[E]ach Federal agency" is to carry out this mission "by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States." *Id.* In an August 2011 Memorandum of Understanding on Environmental Justice and Executive Order 12898 ("MOU") President Barack Obama reiterated the "continued importance of" E.O. 12898—"including as to agencies not already covered by the Order."¹

It is true that the FERC is not a covered agency under E.O. 12898 or the MOU, and the FERC has consistently reiterated that neither E.O. 12898 nor Environmental Protection Agency ("EPA") guidance regarding environmental justice matters are binding on the agency. *See, e.g.,*

¹ Memorandum of Understanding on Environmental Justice and Executive Order 12898 2, Aug. 2011, available at <http://www.epa.gov/compliance/ej/resources/publications/interagency/ej-mou-2011-08.pdf> [hereinafter MOU].

² See also MOU, *supra* note 1 ("the Order does not preclude other agencies from agreeing to undertake the commitments in the Order") (emphasis added).

CO10-1

Section 4.9.7 of the EIS has been updated to include additional information on the potential environmental justice area located west of the proposed M&R facility. Also see the responses to comments CM1-1 and CM1-122.

CO10 – CUNY School of Law Center for Urban Environmental Reform (cont'd)

CO10-1
(cont'd) *Tex. E. Transmission, LP & Algonquin Gas Transmission, LLC*, 141 FERC 61043 (2012) (stating non-binding nature of E.O. 12898 and EPA guidance). Nonetheless, the FERC has undertaken a commitment to address environmental justice in the Rockaway Lateral project by including an environmental justice analysis in the DEIS. *See* The FERC, Rockaway Delivery Lateral Project Northeast Connector Project: Draft Environmental Impact Statement § 4.9.7 (Oct. 2013) (“DEIS”).² By doing an environmental justice analysis, the FERC clearly has a duty under the Administrative Procedure Act to conduct the analysis in a way that is not arbitrary and capricious. The strictures of E.O. 12898 and EPA guidance on environmental justice are thus a tool for assessing whether the FERC has been arbitrary and capricious in conducting its analysis.

By committing to perform an environmental justice analysis, the FERC should keep in mind how the rest of the federal government has defined the scope of that obligation. Moreover, more than a year before the FERC made public the DEIS, EPA commented on the FERC Notice of Intent (“NOI”) to prepare an environmental impact statement for the Rockaway Lateral. *See* Letter to Secretary Kimberley D. Bose; RE: Docket No. PF09-08, EPA Region 2 (June 11, 2012). Among other points, EPA suggested to the FERC that an environmental justice “analysis should be prepared to determine whether any racial, ethnic, or socioeconomic group is bearing a disproportionate share of the negative environmental consequences resulting from the construction of the pipeline.” *Id.* Regardless of whether the FERC’s inclusion of an environmental justice analysis in its DEIS is the result of EPA’s urging, the agency has clearly recognized its obligation to adequately conduct such an analysis by including a section in the DEIS devoted to environmental justice.

The FERC’s Environmental Justice Analysis Fails to Adequately Consider the Impacts of the Rockaway Lateral on Environmental Justice Communities

The FERC’s DEIS discusses environmental justice in relation to the Rockaway Lateral and environmental justice communities. In its own words, the FERC recognizes that the Brooklyn, NY, neighborhood of Marine Park is an environmental justice community, meaning that at least 51.5 percent of the population reported to be members of a minority group and/or at least 23.6 percent of the households reported incomes below the poverty line.³ According to EPA’s EJView map tool, as of 2010 the percentage of minorities by block in the area to the east of Flatbush Avenue and Avenue U was between 40% and 100%.⁴ Many areas to the west of Flatbush Avenue have similar population demographics. The impacts of the Rockaway Lateral will be felt in precisely those neighborhoods of special concern for environmental justice—neighborhoods composed of predominately minority populations.

The DEIS states that the environmental justice communities in Marine Park are about 400 feet west of the proposed M&R facility and uses this distance as grounds to assume the neighborhoods are far enough away to not be impacted by the project. Specifically, the FERC

² *See also* MOU, *supra* note 1 (“the Order does not preclude other agencies from agreeing to undertake the commitments in the Order”) (emphasis added).

³ The FERC bases its criteria for Marine Park on the 2003 Commissioner’s Policy 29 of New York State Department of Environmental Conservation.

⁴ *See* EPA, EJView, <http://epamap14.epa.gov/ejmap/entry.html> (last updated 1/11/2013).

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CO10-1
(cont'd) determined that construction-related activities “would occur in non-residential areas where no EJ communities are present.” DEIS at 4-124. Additionally, the DEIS states that the primary-related health issue is the risk associated with an unanticipated pipeline failure. This lip service to environmental justice and quick write-off is a disservice and fails to anticipate effects on environmental justice communities from the Rockaway Lateral and the related National Grid pipeline (“National Grid”) Brooklyn-Queens Interconnect (“BQI”) project.

The FERC’s obligations to environmental justice are part and parcel of the agency’s obligation to engage in reasoned decision-making. Fulfilling these obligations requires more than lip service. EPA highlighted this obligation in its June 11, 2012 letter to the FERC, which advised the FERC to conduct an environmental justice analysis to determine whether ethnic, racial or socioeconomic groups bear a disproportionate share of the negative environmental consequences resulting from the construction or operation of the pipeline. The FERC has *not meaningfully addressed* EPA’s concerns. The seven paragraphs the FERC dedicated to environmental justice, out of a 316 page DEIS (excluding appendices) amounted to little more than a token mention. Instead of a genuine analysis of the concerns facing the identifiable environmental justice community that will be affected by the proposed project, the FERC offered merely a pro forma recitation of the need to consider environmental justice concerns. *Cf., e.g., Nat. Res. Def. Council v. Hodel*, 865 F.2d 288, 297-99 (D.C. Cir. 1988) (holding that agency’s simplistic analysis failed to meaningfully address EPA’s concerns in the DEIS and therefore failed to comply with NEPA).

First, addressing the FERC’s own statements, the fact that an environmental justice community lives 400 feet from the M&R facility is significant and should have warranted greater discussion. For an average person who walks three miles per hour, traveling 400 feet takes about ninety seconds. In other words, an environmental justice community lives only ninety seconds on foot from this pipeline! Yet the FERC categorically concluded that the 400-foot separation somehow converted this environmental justice neighborhood into a non-residential area. This 400 feet conclusion is wholly unsupported—the FERC offers it as a naked supposition. The DEIS offers no analysis of the distance, and no justification for this determination that a 400-foot separation is meaningful in the context of this neighborhood. If a ninety second walk means that an area is non-residential, then what about a sixty second walk? Or a thirty second walk? The FERC designation of this area as non-residential is wholly arbitrary and entirely unsupported.

Dismissing environmental justice concerns that construction on the Rockaway Lateral and the related BQI project will occur only on non-residential space and thus have no impact is arbitrary and capricious.⁵ *Cf. Utahns for Better Transp. v. U.S. Dep’t of Transp.*, 305 F.3d 1152, 1179-80 (10th Cir. 2002) (finding a studied distance of 1,000 feet to be arbitrary and capricious for NEPA purposes since the lead agency ignored the mobility of certain wildlife). While 400 feet is taken to be non-residential when placed in the context of an environmental justice community, 400 feet is clearly residential in many neighborhoods throughout the United States due to required zoning

⁵ The related BQI project must be considered in an environmental justice analysis because all cumulative impacts from the Rockaway Lateral and the BQI must be considered. *See* 40 C.F.R. § 1508.7 (2013) (defining “cumulative impacts” as including actions taken by both federal and non-federal agencies).

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CO10-1 setbacks and minimum lot sizes.⁶ When a town in Connecticut has zoning of two acres, 400 feet (cont'd) away is residential.⁷ This assertion is not to deny the real differences between a town in Connecticut and neighborhoods in Brooklyn—it instead demonstrates that the FERC has failed to show that 400 feet is far enough away from an environmental justice neighborhood and far enough away from the project to be considered “non-residential.” The FERC’s blanket statement is not enough and is arbitrary. A predominately minority community only 400 feet from a major portion of the Rockaway Lateral will bear many of the project’s negative impacts.

Natural gas pipeline ruptures and explosions in the United States are widely reported in the media and therefore create a perceived threat of danger. For example, the September 2010 San Bruno, CA, explosion that leveled a neighborhood and killed eight people was national news.⁸ As recently as November 29, 2013, a gas pipeline exploded in Missouri.⁹ In 2011 a gas pipeline exploded in Allentown, PA, killing five people,¹⁰ and in 2011 a gas pipeline exploded in Philadelphia, killing one person and injuring five others.¹¹ According to the federal Pipeline and Hazardous Materials Safety Administration, from 1993 to 2012 there were 5,612 significant incidents with gas pipelines, resulting in 367 fatalities, nearly 1,500 injuries and over \$6.5 billion in property damage.¹² In 2013 year to date, there have been 219 significant incidents with seven people killed, thirty-five injured and over \$2 million in property damage.¹³ These numbers cannot be ignored.

Furthermore, according to June 2010 guidance from the Pipeline Association for Public Awareness, the recommended minimum evacuation distance for natural gas pipeline leaks and

⁶ See, for example, the zoning requirements in the City of Newport, Rhode Island, available at http://www.cityofnewport.com/departments/zoning-inspections/zoning/pdf/guidelines_zoning_update.pdf.

⁷ See Grace E. Merritt, *2-acre Zoning Weighed to Limit Growth*, The Courant, June 18, 2001, http://articles.courant.com/2001-06-18/news/0106181332_1_zoning-commission-town-open-space.

⁸ See, e.g., Lee Ferran et al., *San Bruno Gas Explosion: Fire Contained, but Homes Still Too Hot to Search*, ABCNews, Sept. 10, 2010, <http://abcnews.go.com/US/california-fire-ball-claims-lives/story?id=11599994>.

⁹ See *Missouri gas pipeline ruptures, explodes*, CBSNews (Nov. 29, 2013, 1:23 PM), <http://www.cbsnews.com/news/missouri-gas-pipeline-ruptures-explodes/>.

¹⁰ E.g., Lykena Little et al., *Allentown, Pa., Explosion Leaves Five Dead*, ABCNews, Feb. 10, 2011, <http://abcnews.go.com/Business/pennsylvania-natural-gas-explosion-leaves-dead/story?id=12883552>.

¹¹ Lucy Kennedy, *Natural gas explosion in Philadelphia kills worker*, PBS, Jan. 19, 2011, <http://www.pbs.org/wnet/need-to-know/the-daily-need/fatal-gas-explosion-in-philadelphia-kills-one-and-injures-five/6465/>.

¹² U.S. DOT, Pipeline & Hazardous Materials Safety Admin., Significant Pipeline Incidents, <http://primis.phmsa.dot.gov/comm/reports/safety/SigPSI.html?nocache=14> (last updated Nov. 5, 2013, 8:21:48 PM).

¹³ *Id.*

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(cont'd) ruptures is 547 feet for a 24-inch-diameter pipe at 100 psig.¹⁴ The distance grows as the pipeline diameter increases. The BQI and Rockaway Lateral pipelines will both have 26-inch-diameters. The BQI pipeline will also operate at an increased pressure when it connects with the Rockaway Lateral. *See* DEIS at 1-12. Moreover, the M&R facility that is only 400 feet from environmental justice communities will have a 26-inch-diameter inlet pipe and 8-, 12- and 30- inch-diameter outlet pipes. DEIS at 2-5. This explosion risk is in addition to the increased health impacts from possible leaks on the environmental justice neighborhood. Methane, the main component of natural gas, is an asphyxiant. Even should the FERC consider the new pipeline safe enough, it cannot ignore the reality that more natural gas will be delivered to an older and potentially more-easily leaking pipeline system connecting to the BQI, the Rockaway Lateral and the M&R facility nearby the environmental justice communities.¹⁵ The FERC's bald statement that the environmental justice community only a ninety-second walk from the M&R facility is far enough from the Rockaway Lateral denies the reality of the actual danger that will be created for this environmental justice community living in direct proximity to this pipeline.

Both the perceived and actual threat of living proximal to a natural gas pipeline causes the environmental justice communities living in these areas to bear a disproportionate share of the negative environmental consequences resulting from the construction or operation of the pipeline. Residents in these environmental justice communities are right to be concerned about the impact the pipeline will have on their property value. While there are few studies about the impact on housing values of homes near natural gas pipelines, this impact is clearly a foreseeable negative consequence on the communities. Because the FERC categorically decided that 400 feet was "far enough" away from the pipeline, the FERC did not even consider the possibility of decline in housing values. Instead, in a single paragraph, the FERC concluded there is no expectation that property values would be affected. *See* DEIS at 4-121. If the FERC is truly "sensitive to the fact that impacts on property values determined by an environmental review to be insignificant, or minimal, represent additional undesired impacts and may seem significant and burdensome to those in the" project's vicinity, it must make more than a bald assertion of no effect in its environmental review. *Millennium Pipeline Co., LLC*, 145 FERC 61007, ¶ 98 (2013). The FERC must be sensitive to the potential impacts on property values in the environmental justice community. Additionally, the immeasurable burden of living with the fear of an explosion or other accident should not be shoved onto this environmental justice community without careful consideration of the consequences. The FERC must seriously consider alternatives and/or mitigating factors to alleviate the negative burdens on the nearby neighborhoods.

¹⁴ *See* Pipeline Association for Public Awareness, Recommended Minimum Evacuation Distances For Pipeline Leaks and Ruptures (June 2010), available at <http://www.pipelineawareness.org/wp-content/uploads/2010/06/Evacuation-Distances-for-Natural-Gas.pdf>.

¹⁵ *See*, Associated Press, *Environmentalists, unions seek to fix gas leaks*, Wash. Post, Dec. 8, 2013, http://www.washingtonpost.com/business/environmentalists-unions-seek-to-fix-gas-leaks/2013/12/08/6f3d9e80-6026-11e3-a7b4-4a75ebc432ab_story.html (stating New York City still uses about 3,000 miles of decades-old pipeline).

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(conf'd) Furthermore, these communities will foreseeably face the negative consequences of other environmental impacts discussed in the DEIS. The DEIS foresees increased traffic during the construction periods and anticipates land use impacts at Jacob Riis Park. Indeed, Rockaway Avenue would have significant construction due to the installation of the Rockaway Lateral and the BQI pipelines. This street is a major thruway for cars and public transit to commute through the Gateway National Recreation Area over Jamaica Bay into Jacob Riis Park on the Rockaway Peninsula. The DEIS discusses interference with recreation at the beach in Jacob Riis Park and to a pitch and putt course by Jacob Riis due to construction of the Rockaway Lateral—areas of recreation foreseeably used by the nearby environmental justice neighborhoods. The summertime construction will not only negatively impact air quality in the surrounding areas, but it will also inhibit the recreation of the environmental justice communities directly adjacent to the Rockaway Lateral and other environmental justice neighborhoods like Flatlands and Flatbush not far from the project.

Moreover, use-by-reservation areas for environmental education at Floyd Bennett Field will be impacted. *See* DEIS at 4-91. It is already difficult to receive a worthwhile environmental education in a metropolitan area such as New York City. Furthermore, it is especially important that environmental justice communities have access to environmental education. Such an education aids in both an individual's and a community's abilities to meaningfully and effectively participate in the public sphere—including commenting on federal and non-federal agency actions and rulemakings. Construction for the Rockaway Lateral and the M&R facility will impede access to an environmental education at Floyd Bennett Field by disrupting use-by-reservation activities. The FERC considered impacts from this disruption in a single sentence in the DEIS. The FERC should dedicate more discussion to the negative consequences of this impact while paying attention to the fact that the closest residents to Floyd Bennett Field live in an environmental justice neighborhood. It is thus foreseeable that the residents of the nearby environmental justice communities will bear the disproportionate share of the environmental burdens.

Conclusion

Because the FERC's environmental justice analysis fails to meaningfully address EPA's concerns and since it does not adequately review environmental justice issues that the FERC voluntarily decided to analyze, a comprehensive analysis must be conducted. Regardless of whether the BQI is outside the FERC's jurisdiction, the Rockaway Lateral exists solely for the purpose of effectuating the BQI, and the cumulative impacts on environmental justice communities from the two projects must be more comprehensively addressed together. In the alternative, the FERC should designate William Transco to find a new route among the ones rejected for the pipeline project that does not pass through recreational areas on Rockaway Peninsula and terminate proximal to an environmental justice community. After all, the FERC's duty under NEPA is to give a hard look at environmental consequences—not National Grid's plans. It is imperative that the FERC do more than simply pay lip service to its environmental justice analysis. By having taken on an environmental justice analysis, the FERC must adequately address issues in a manner that is not arbitrary and capricious.

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CO10-1
(cont'd) Respectfully submitted by Ethan Middlebrooks on behalf of the CUNY Center for Urban Environmental Reform.

About the CUNY Center for Urban Environmental Reform (CUER)

CUER is a justice initiative at CUNY School of Law dedicated to developing new avenues of participation and new opportunities for citizen empowerment in environmental decision-making. Drawing from the emerging human rights norms of participation, access to information, transparency and intergenerational equity, CUER seeks to revitalize participatory environmental decision-making to help community members, scholars and policymakers communicate in a way that leads to better, more sustainable decision-making. In doing so, the Center facilitates important social conversations about the acceptability of environmental risks and the need for their equitable distribution.

Many of the standard techniques of environmental decision-making reduce society's ability to include issues of distributive justice and overall fairness in the decision. As a result, environmental policies have been repeatedly accused of perpetuating environmental injustice — with poor and minority communities consistently allocated a larger share of environmental bads while having access to fewer environmental goods. CUER's emphasis on environmental citizenship is an attempt to surface these justice dynamics that are too often ignored. Framing environmental choices as questions of fundamental equality in a political community, rather than as private choices about property, helps emphasize the role that power, access to information, and inequality play in shaping environmental outcomes.

CO11 – Coalition Against the Rockaway Pipeline

Coalition Against the Rockaway Pipeline

172 Fifth Avenue, PMB 126, Brooklyn, New York 11217

December 9, 2013

VIA eFILING

Kimberly D. Bose, Secretary
Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
Office of Energy Projects
888 First Street, NE
Washington, DC 20426

*Re: Docket CP13-36-000 Proposed Rockaway Delivery Lateral Project, and
Docket CP13-132-000 Proposed Northeast Connector Project*

Dear Secretary Bose:

CO11-1 Thank you for the opportunity to comment on the draft Environmental Impact Statement (DEIS) issued by the FERC on October 4, 2013 for the Rockaway Pipeline. Unfortunately, the DEIS violates the National Environmental Policy Act (NEPA), 42 U.S.C. 4321, et seq., and the Administrative Procedure Act, 5 U.S.C. s. 706, and is deficient and misleading in many respects. As a threshold matter, and as explained in detail below, FERC must reissue the Draft EIS and provide a new comment period, or at bare minimum extend the present comment period, in light of, inter alia, (a) the major changes in the project that have emerged since issuance of the DEIS, including the time of year of construction, (b) the recent release of more than 1,000 pages of documents related to the project, which bear on the analysis in the DEIS but which CARP and the public have not had a sufficient opportunity to review, and (c) the failure to complete critical environmental analyses on which a full consideration of the impacts of the project necessarily depends, including completing the consultation process under the Endangered Species Act, and similar review processes under the Marine Mammal Protection Act and National Historic Preservation Act. Other glaring deficiencies of the DEIS reviewed in detail below include the following:

- It fails to adequately establish the necessity for the product the pipeline would transport. The people of NYC have no need for the relatively small incremental increase in delivery that would result from this action.

CO11-1

See the responses to comments CM1-1, CM1-14, CM1-122, CO11-2, and CO11-4.

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- It primarily addresses a construction project and related mitigations different from the project which Williams Transco developed during the final month of DSEIS preparation and announced to the public (with partial documentation) two weeks after DSEIS publication.
- It fails to address adequately many Key Concerns, *inter alia*, the construction of the National Grid portion without benefit of federal review, the misuse of the national parkland and historic National Register structures, and the impacts of the extensive scheduling and design changes recently submitted to FERC after the DEIS had already been issued.
- It ignores the far-upstream and far-downstream impacts that, at this date, ought be included in any intelligent consideration of energy production and build-out.

In short, this DEIS prompts any who rely on its assessment toward erroneous conclusions. Moreover, the lack of public notification, and the resulting paucity of meaningful participation from this city of millions, must be considered and rectified.

NEPA OVERVIEW

Declaring a national policy "to enrich the understanding of the ecological systems and natural resources important to the Nation," 16 U.S.C. § 4321, Congress passed NEPA in 1969, declaring a "continuing responsibility" of all federal agencies to "preserve important historic, cultural, and natural aspects of our national heritage" *Id.* at § 4331(b)(4). NEPA is our nation's "basic national charter for protection of the environment." 40 C.F.R. § 1500.1.

To carry out these goals, NEPA provides that, for all "major Federal actions significantly affecting the quality of the human environment," federal agencies "shall" prepare a "detailed statement," called an "Environmental Impact Statement" ("EIS"). 42 U.S.C. § 4332(C). Under NEPA, an EIS must consider (1) the "environmental impact of the proposed action"; (2) any "adverse environmental effects which cannot be avoided"; (3) "alternatives to the proposed action"; (4) the relationship between "local short-term use of man's environment and the maintenance of long-term productivity"; and (5) "any irreversible and irretrievable commitment of resources" involved in the proposal. *Id.* at § 4332(c)(i)-(v). In addition, NEPA requires agencies to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." *Id.* at § 4332(E).

The Council on Environmental Quality ("CEQ") -- an agency within the Executive Office of the President -- has promulgated regulations implementing NEPA which are "binding on all federal agencies." *See* 40 C.F.R. § 1500.3. Those regulations require that before an EIS is finalized an agency must issue a draft EIS informing the public of the proposed action and the

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agency's draft consideration of impacts and alternatives – on which the public must be afforded a meaningful opportunity to comment. The agency must then fully consider those comments before finalizing the EIS and making a decision as to which of the alternatives considered in the EIS it will implement. See id. §§ 1503.1(a)(4), 1503.4.

DISCUSSION

I. The DSEIS must be reissued in light of major developments since it was issued, and at minimum the comment period must be extended.

Before turning to the substantive deficiencies of the DEIS, several procedural matters must be addressed that require the agency to reissue a new Draft EIS, or at bare minimum extend the comment period. First, highly relevant information and impacts were not disclosed until well into the comment period, and other information is still being disclosed. Second, the DEIS was based on a project schedule that has since been changed, and the public must have an opportunity to comment on the different and substantially greater impacts which can be expected to occur if the project timeline changes from winter construction to summer construction. Finally, multiple other federal agencies are themselves still considering approvals and impacts that bear on the proposed action – all of which the public must have an opportunity to review and comment on.

In fact, changing the action from a construction project in the winter ocean to a construction project in the summer ocean, because of the increase in impacts to marine life, involves the stripping away of the action's primary mitigation, and in essence is the creation of a new project.

CO11-2

A. Transco's recent submission of well over 1,000 pages of new documents requires, at the very least, an extension of the public comment period.

Since October 4, 2013, when the DEIS was issued, Transco has been making voluminous additional submissions to FERC, thus far totaling well over 1,000 pages. Because these submissions are being made *post-issuance* of the DEIS, it goes without saying that whatever information they contain was not considered in FERC's analysis. Moreover, because they are being submitted after the opening of the comment period, it also goes without saying that members of the public who submitted comments early did so without knowledge of the significant information contained therein. Notably, Transco's post-DEIS submissions describe major scheduling changes, which, as discussed below could mean considerably greater environmental impacts than were analyzed in the DEIS.

As discussed above, NEPA requires that the public be afforded a meaningful opportunity to comment on a proposed action. There is simply no way to conclude that such an opportunity exists in this case, given the magnitude of Transco's post-DEIS submissions – which continue to pour in, even with less than a week remaining until the comment period closes.

CO11-2

While Transco has filed supplemental information, there have been no substantive changes to the design of the Rockaway Project that, had we known of them prior to the issuance of the draft EIS, would have significantly altered our assessment or conclusions. Where appropriate, the additional information filed by Transco has been incorporated into the final EIS. The final EIS has also been modified to address comments we received on the draft EIS from cooperating and other agencies and from stakeholders.

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CO11-2
(cont.) FERC must, therefore, at bare minimum, extend the comment period, accordingly, to accommodate the public's right to review and offer opinion on the newly available information.

CO11-3 **B. Because scheduling changes were announced post-issuance of the DEIS, it is fraught with "information gaps and inaccuracies," which warrant a new DEIS.**

Within the October and November 2013 submissions were significant scheduling and design changes. *Compare* DEIS at 2-32 ("[C]onstruction of the pipeline would be completed over a six month period beginning in the [early] spring of 2014") with Enclosure 1 – Additional Information (Oct. 18, 2013) ("Transco determined that it could no longer complete construction of the offshore pipeline in the timeframe originally proposed.") and Transco Meeting Summary (Sept. 24, 2013) ("Sept. 24 Summary") ("Transco [now intends] to construct the offshore portion of the Project during the late *spring and summer* of 2014." (emphasis added)).

Without a doubt, "[t]he season in which construction takes place can influence the degree of impacts associated with construction activities," DEIS at 4-45, and, as the DEIS makes clear:

Construction during periods of sensitive fish activity could cause greater impacts than construction during other periods. Transco intends to initiate offshore construction in early spring. This is a time of the year when water temperatures are still cool enough to be non-optimal for most biological activity in the marine environment.

Id. (emphasis added).

Thus, the scheduling changes cast serious doubt on the validity of the DEIS, which was created in reliance upon what is now outdated and incorrect data. E.g., Sept. 24 Summary (new construction schedule "will have *different impacts than originally anticipated*." (emphasis added)); *see also, id.* ("[T]he impacts related to summer construction may not be fully reflected in the pending DEIS.").

Indeed, Transco's filings point to specific examples of additional impacts resulting from the scheduling change, including, *inter alia*, an "increase in eggs and larvae for fish and other prevalent species such as surfclam," Sept. 24 Summary, and increased "impact to GNRA visitors during summer construction," Recap from Transco Meeting (Sept. 9, 2013). New York Department of State representative Matt Maraglio further identified "areas that need additional analysis [because of the schedule change] including: [e]haracterization of beach uses during construction; [s]urface waters/users that are affected; [and] [a]reas and users adjacent to the work area that may be [v]isually affected." Transco Meeting Summary (Sept. 17, 2013) ("Sept. 17 Summary"). *See also infra* (discussing in more detail some of the environmental impacts needing reconsideration in light of the new proposed schedule).

CO11-3 See the response to comment CM1-14.

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CO11-3
(cont.)

As Transco's own materials make clear, because of the construction schedule change, the DEIS likely contains "*information gaps and inaccuracies*," *id.* (emphasis added); *see also*, Sept. 18 Summary ("the DEIS coming out soon from FERC *may not accurately discuss impacts based on the changed project schedule*" (emphasis added)). These gaps and inaccuracies necessitate additional review in the form of a revised DEIS, as they effectively "preclude meaningful consideration by the public," *State of Cal. v. Block*, 690 F.2d 753, 770 (9th Cir. 1982), of the actual project proposed.

CO11-4

C. Cooperating agencies have not yet commented on old information, let alone new submissions trickling in from Transco over the past several weeks.

NEPA requires cooperation between agencies "early in the NEPA process," C.F.R. § 1501.6, and "[e]ach cooperating agency shall (1) [p]articipate in the NEPA process at the *earliest possible time*." *Id.* (emphasis added). FERC notes that the U.S. Department of the Interior – National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers – New York District, National Oceanic and Atmospheric Administration – National Marine Fisheries Service, and City of New York are all "cooperating agencies in the preparation of [the] draft EIS," DEIS at 1-1; all of these agencies must make decisions on or provide expertise with regard to the Project at the earliest possible time, and at the very least, soon enough to allow the public a meaningful opportunity to comment on their findings.

At least some of these agencies had not yet provided *any* recommendations or approvals at the time the DEIS was issued, and, as such, those agencies analyses were not included for public consideration in the document upon which they are now asked to comment. For example, FERC recommends that various phases of construction not begin until:

- "the FERC staff receives comments from NOAA Fisheries, Protected Resources Division regarding impacts on marine mammals and Transco's proposed mitigation measures," DEIS at 4-38;
- "NOAA Fisheries issues an IHA to Transco," *id.*;
- "the Director of OEP approves Transco's plans and notifies Transco in writing that the mitigation measures may be implemented and construction may proceed," *id.*;
- "the FERC staff receives comments from NOAA Fisheries, Protected Resources Division and the FWS regarding impacts on the federally listed species," *id.* at 4-84;
- "the FERC staff completes formal consultation with NOAA Fisheries/FWS," *id.*;
- "Transco submits . . . comments from the NPS and the New York SHPO on all reports and plans for the Rockaway Project," *id.* at 4-133;

CO11-4

As discussed in Section 1.2 of the EIS, five cooperating agencies assisted FERC staff in the preparation of the DEIS and FEIS. As discussed in Section 1.3 of the EIS, FERC staff met on many occasions with each agency and ensured each agency had an opportunity to review and edit the NEPA documents prior to issuance. See Section 3.0 of the EIS for our alternatives analysis.

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(cont.)

- “Transco files documentation from the Pennsylvania SHPO that an archaeological survey at Compressor Station 195 is not required, or conducts a survey and files a survey report and the comments of the Pennsylvania SHPO on the report,” *id.*;
- “the ACHP is afforded an opportunity to comment,” *id.*;
- “the FERC staff reviews and the Director of OEP approves all cultural resource reports and plans,” *id.*

Pursuant to NEPA, the public, without question, has a right to comment on these agencies’ analyses and recommendations. By ending the comment period before those analyses and recommendations are available, and before they have been incorporated into the DEIS, FERC is depriving the public of that right.

Perhaps more importantly, because Transco has now made major changes to its construction schedule, even those agencies that have had opportunity to weigh in will have been basing their conclusions on information that no longer applies. As already explained more fully above, the schedule change means new and exacerbated impacts to many if not all of the affected resources. Any agency recommendations based on the old schedule must, therefore, be revised to account for these changes. Without knowing what the cooperating agencies have to say on the newly submitted information, the public is, again, essentially deprived of its right to comment on the *actual* project Transco proposes.

See also Comments of B. Pearson, with which CARP concurs:

Recently you’ve received comments from the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency, both of which raised no substantial concerns about the conclusions in the draft EIS.

Nowhere in their responses do either of these entities acknowledge that they are aware that the schedule proposed in the draft EIS is not the schedule currently being considered. I request that the FERC send a notification to all agencies and interested parties stating the following: 1) that the construction schedule currently under consideration differs substantially from that included in the draft EIS and 2) requesting that all responses submitted to FERC specifically state that the response applies to the currently proposed construction schedule which is for construction to occur during the summer of 2014.

II. FERC has not established the necessity for this project.

Transco’s stated objectives for the Projects are to enhance the reliability and flexibility of National Grid’s distribution system in New York City and to provide a new incremental supply of natural gas. Transco’s objectives are consistent with the energy objectives identified in

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state and city planning documents. The State Energy Plan states that "planned pipeline additions for new delivery points into the downstate market...would significantly relieve capacity constraints [and] increase reliability" (State Energy Planning Board, 2009). Similarly, New York City's long-term growth plan states that the Rockaway Project "would critically reinforce gas supplies in Brooklyn and Queens" (New York City, 2011).

According to Transco, the Projects would meet these objectives by:

- providing firm delivery lateral service of 647 thousand dekatherms per day (Mdt/d) of natural gas to National Grid's distribution system on the Rockaway Peninsula in Queens County, New York through the Rockaway Project;
- providing as part of the 647 Mdt/d, 100 Mdt/d of new incremental (i.e., additional) natural gas supply to National Grid through the Northeast Connector Project; and
- enhancing the security and reliability of National Grid's distribution system by providing a new delivery point on the Rockaway Peninsula in Queens County that would allow National Grid to shift existing volumes of natural gas supply from an existing delivery point in Long Beach in Nassau County, New York.

Under Section 7(c) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate to construct and operate them. The Commission bases its decisions on technical competence, financing, rates, market demand, gas supply, environmental impact, long-term feasibility, and other issues concerning a proposed project.

CO11-5 | The project is being presented as meeting a purported need for increased gas consumption in Brooklyn and Queens by "critically" reinforcing supplies of that gas. However, it is already acknowledged in the statements above that only 100 Mdt/d of the gas would be an increase in the amount already flowing through the system. The rest (547 Mdt/d) is delivered to Long Beach and rerouted into Brooklyn and Queens. Other than the less than 20% increase in gas, the only way that this pipeline would benefit Brooklyn and Queens is to divert gas from flowing to National Grid's customers on Long Island. We are concerned that if a need arose for increased gas flow in one of those directions, it would likely also arise in the other. How will National Grid determine where to send the gas on a very cold day when the demand on boilers is high in both places? Will they shift gas away from the homes and businesses in one place in order to serve the other? This is a concern among both business and residential customers.

CO11-6 | Another concern is for the price of natural gas, which has recently been abnormally (and perhaps artificially) low compared to that of heating oil. However the projected price of natural

CO11-5

See the responses to comments CM1-125 and CM2-32.

CO11-6

See the response to comment IND117-5.

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CO11-6
(cont.) gas is going up and is expected to double by 2016, according to the U.S. Energy Information Administration (EIA).

We point out the volatility of these prices as noted by that federal agency as follows:

Natural gas prices were up at most market locations, increasing most significantly in the Northeast. Henry Hub increased from \$3.28 per MMBtu last Wednesday to \$3.34 yesterday, an increase of 6 cents per MMBtu, or 2 percent. Most trading points increased between 5 and 20 cents per MMBtu week-on-week, with the notable exception of the Northeast. Algonquin Citygate, serving Boston markets, is currently very elevated but fell by 7 percent relative to last week, from \$17.85 per MMBtu last Wednesday to \$16.55 per MMBtu yesterday. Transco Zone 6 NY, serving New York City, nearly tripled from Wednesday to Wednesday, moving from \$6.10 per MMBtu to \$17.21 per MMBtu, surpassing Algonquin Citygate on February 20.

"Currently, domestic natural gas sells for about \$3-\$4 a unit (per million BTU), but the spot price for natural gas in Japan is about \$15-\$20 per unit. US Industrial energy users, say that increased exports would raise domestic gas prices to mirror what natural gas is sold for internationally. The Industrial Energy Users of America, has said that higher natural gas prices, in turn, would make it tougher for US manufacturers, our competitiveness is dependent on the price of natural gas, and this is going to damage our ability to keep jobs here.

Natural Gas Weekly Update - For the week ending Feb. 20, 2013, Overview, available at <http://www.eia.gov/naturalgas/weekly/>.

There is concern on the part of investment firms that these prices forewarn the collapse of a "shale gas bubble," as noted by Bloomberg News. In an article published in January of 2012, "Surging prices for oil and natural-gas shales, in at least one case rising 10-fold in five weeks, are raising concern of a bubble as valuations of drilling acreage approach the peak set before the collapse of Lehman Brothers Holdings Inc."

The article continues:

Chinese, French and Japanese energy explorers committed more than \$8 billion in the past two weeks to shale-rock formations from Pennsylvania to Texas after 2011 set records for international average crude prices and U.S. gas demand. As competition among buyers intensifies, overseas investors are paying top dollar for fields where too few wells have been drilled to assess potential production, said Sven Del Pozzo, a senior equity analyst at IHS Inc. (IHS).

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(cont.)

'I don't feel confident that the prices being paid now are justified,' Del Pozzo said in a telephone interview from Norwalk, Connecticut. 'I'm wary.'

See <http://www.bloomberg.com/news/2012-01-09/shale-bubble-inflates-on-near-record-prices-for-untested-fields.html>

Another acknowledgement of the riskiness of predicting gas prices is found at the EIA's web page entitled "The Global Liquefied Natural Gas Market: Status and Outlook," at <http://www.eia.gov/oiaf/analysispaper/global/lngmarket.html> ("Importers and exporters involved in U.S. LNG transactions are exposed to a significant level of risk given the **high degree of price volatility in U.S. natural gas markets.**").

What's more, the push to export natural gas from the United States will add to the volatility of gas prices domestically, as the gas prices internationally will drive competition for the gas on the world market.

Again according to the EIA's Natural Gas Monthly, *see* <http://www.eia.gov/naturalgas/issuesandtrends/> (gross exports of natural gas increased by 32.6 % between 2010 and 2012).

LNG to northeast Asia has already risen to a record \$19.40, according to World Gas Intelligence. And we find an article on their website page, LNG Intelligence, that as of December 6, 2013, US Gas Leaps Past \$4/MMBtu, *available at* <http://www.energymintel.com/pages/Login.aspx?fid=art&DocId=830738> (because of a massive US gas storage draw, driving domestic prices to a six-month high).

According to Deborah Rogers, who began her financial career in London working in investment banking and subsequently worked as a financial consultant for several major Wall Street firms, including Merrill Lynch and Smith Barney:

"The recent natural gas market glut was largely effected through overproduction of natural gas in order to meet financial analyst's production targets and to provide cash flow to support operators' imprudent leverage positions."

She continues, "Further, leases were bundled and flipped on unproved shale fields in much the same way as mortgage-backed securities had been bundled and sold on questionable underlying mortgage assets prior to the economic downturn of 2007."

See Report, "Shale Gas and Wall Street: Was the Decline in Natural Gas Prices Orchestrated?" Executive Summary, *available at* <http://shalebubble.org/wp-content/uploads/2013/02/SWS-report-FINAL.pdf>.

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(cont.)

Note: Ms. Rogers also served on the Advisory Council for the Federal Reserve Bank of Dallas from 2008-2011.

The increase in the cost of natural gas to the residential consumer cannot merely be ascribed to cold weather. Indeed, throughout the United States natural gas prices **increased** over the summer months of 2013 as follows, shown in "nominal dollars" per thousand cubic feet:

Month	Price
March	\$ 9.35
April	\$10.45
May	\$12.63
June	\$14.99
July	\$16.23
August	\$16.46

See http://www.eia.gov/dnav/ng/ng_pri_sum_dcu_nus_m.htm.

In New York State, the numbers are even higher:

Month	Price
March	\$11.57
April	\$12.82
May	\$15.94
June	\$18.40
July	\$18.73
August	\$19.25

See http://www.eia.gov/dnav/ng/ng_pri_sum_dcu_SNY_m.htm.

Yet the residential consumption of gas during those months is down compared to winter months. According to ICF International, in a study prepared for the New York City Mayor's Office of Long-Term Planning and Sustainability a graph clearly shows that residential usage dips sharply in February and is at its lowest just when the price is highest (please see http://www.nyc.gov/html/om/pdf/2012/icf_natural_gas_study.pdf, page 33, Exhibit 4-2).

According to the same document, we have entered a time frame in which natural gas usage by industrial, commercial, residential and other sectors (excluding that of power generation) is expected to remain approximately the same for the next 17 years, until 2030 (same document, page 13, Exhibit 2-1, U.S. and Canadian Gas Consumption by Sector). In fact, the report states that "the assumed growth rate for the New York area is even lower than the national

CO11-7

CO11-7

See the response to comment CM2-32 and CO4-2. We note that the report by ICF International (2012) did not take into account conversions in heating systems from oil to other fuels, including natural gas. We also note that the study projects an increase in demand for natural gas. The study by Jacobson et al. (2013) is discussed in Section 3.2.2 of the EIS.

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CO11-7
(cont.) value at 0.6 percent per year, as a result of its more mature market and the effectiveness of its energy “

This report's claim of the increased need for gas is based upon the demands of power generation, which need not depend upon natural gas. A study has been performed by Mark Z. Jacobson of Stanford University to “*examine the technical and economic feasibility of and propose policies for converting New York State's (NYS's) energy infrastructure in all sectors to one powered by wind, water, and sunlight (WWS).*” Mark Z. Jacobson, Examining the feasibility of converting New York State's all-purpose energy infrastructure to one using wind, water, and sunlight, available at <http://www.stanford.edu/group/efmh/jacobson/Articles/I/NewYorkWWSEnPolicy.pdf>.

A significant portion of the argument for increasing the delivery of natural gas to New York City is based upon the idea that boilers should convert to the use of natural gas. In fact many residents believe that their boilers must convert within the next few years. This is not the case. Only boilers using #6 heating oil are required to convert by 2015 (or when their building's Certificate of Operation expires). Buildings may comply with this deadline by switching to No. 4 or 2 heating oil (which by law must be blended with 2% biodiesel by October, 2012), or to 100% biodiesel, and/or to natural gas (dual fuel options are available). The second deadline requires discontinuing the use of No. 4 oil by Jan. 1, 2030 ... neither deadline imposes a switch to natural gas, which is a costly conversion (\$15,000-\$20,000) or an even more costly purchase of a new burner (\$120,000) and far more of a burden if natural gas prices go up in the future.

CO11-8 From the Sane Energy Project website, <http://saneenergyproject.org/boilers/>:

There are those who maintain that much of the soot and air pollution in our city is caused by poor boiler maintenance, rather than by the fuel itself. Buildings with malfunctioning boilers are easy to spot, spewing clouds of black smoke into the sky. But gas boilers may well create a different problem: According to a statement by experts Chris Benedict and Henry Gifford, when a poorly-maintained gas boiler malfunctions, it spews invisible carbon monoxide, and the problem is unlikely to be noticed, reported or corrected.

For all the above-stated reasons, the claim that public convenience and need are met by the Transcontinental Gas Pipe Line Company, L.L.C. Rockaway Lateral Pipeline Delivery Project is hereby contested.

III. Numerous critical environmental issues are not meaningfully addressed in the DSEIS.

A. Trenching, HDD, Summer Construction & Riis Park Beach

i. Dredging toxins while trenching

CO11-8

Comment noted.

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CO11-9

The waters off Gateway National Recreation Area are the site of some of the worst dumping along the East Coast. According to a 1970 report, it is part of the largest grossly polluted area in the United States, and contains lead, chromium, copper, gold, selenium, and zinc. These toxins have been buried and kept out of the waters for years, but could be brought up by dredging related to this project, poisoning local fish and ruining commercial fisheries.

ii. DEIS 2.3.1.4 – Subsea trenching with a post-lay jet sled

The pipeline would then be lowered to a minimum depth of 4 feet below the seabed using a postlay jet sled. The post-lay jet sled would straddle and be towed along the pipeline by cable or chain from the pipe lay barge, which would provide pressurized water and air for the system. The jet sled would use high-pressure water jets to open a trench under the pipeline. The material loosened by the jets would be expelled by discharge nozzles to the area behind the sled. As the sled is pulled along creating the trench, the pipeline would sink under its own weight and settle on the trench bottom. The configuration of a typical jet sled is shown on Figure 2.3.1-5.

CO11-10

This is the description of the trenching work. Many sediment studies were executed. At the time of DEIS publication, a winter project was written about. Now, picture the above description of activity—and all the other ocean construction described—happening in summer, some of it as little as a half-mile offshore. Picture bathers at Riis Park Beach. You have to imagine all this, because that confluence of events is not pictured for us in the DEIS.

iii. DEIS 2.3.1.5 – Horizontal directional drilling

“Transco would use the HDD method to minimize impacts on nearshore habitats and avoid impacts on the beach and other areas of Jacob Riis Park. Transco proposes to locate the HDD entry point on TBTA property just north of Jacob Riis Park on the Rockaway Peninsula. The HDD exit point would be located about 3,600 feet or 0.7 mile offshore of the peninsula. As described in more detail below, the

HDD operation would be completed in three steps:

- the drilling of a small-diameter pilot hole;
- reaming or enlarging of the pilot hole to a diameter sufficient to accommodate the pipeline; and
- pulling the HDD pipeline segment into the completed drill hole.

The pipe for the HDD segment would be fabricated on the pipe lay barge as described above, laid on the seafloor within the proposed right-of-way easement, and hydrostatically tested (see the description of hydrostatic testing in Section 2.3.1.11 below) before being pulled through the drill hole.

CO11-9

See the response to comment CM1-85.

CO11-10

See the response to comment CM1-14.

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The proposed HDD construction period would last approximately 8 to 10 weeks. This estimate is based on crews working 12 hours per day during the first phase of the HDD operation (i.e., during the setup of the equipment and the drilling of the pilot hole), then switching to 24 hours per day during the second phase of the HDD operation (i.e., during the reaming or enlarging of the pilot hole and when the offshore HDD pipeline segment is pulled into the hole and back to the HDD entry point).

The drilling fluid that would be used during the HDD operation to lubricate and facilitate the drilling operation and the removal of cuttings from the drill hole would consist of approximately 95 to 98 percent fresh water and 2 to 5 percent bentonite, which is a naturally occurring, nonhazardous clay mineral. As currently planned, the fresh water would be sourced from fire hydrants located in the vicinity of the onshore entry workspace. The potential for environmental impact due to the HDD drilling fluid is discussed in Sections 4.3.2.3, 4.5.2.1, and 4.6.3.2.

In preparation for initiating the pilot hole operation, a clamshell dredge would excavate a pit at the offshore HDD exit point location. The excavated material would be deposited on the seabed adjacent to the exit pit. The pit would provide a ramp and transition area that would be used to connect the end of the HDD segment to the section of the pipeline that is installed using the jet sled. It would also serve to contain the HDD drilling fluid and cuttings that are released at the offshore exit location during the HDD operation. The pit would be able to accommodate approximately 15,300 cubic yards of material.

Around the same time that the offshore exit pit is being dredged (or earlier), HDD equipment, including an HDD drill rig (see Figure 2.3.1-6), would be mobilized to and set up at the onshore HDD entry point location.

The drill rig would drill a pilot hole under the shoreline and seabed to the pre-excavated pit at the offshore exit point. Transco would install casing for approximately the first 100 to 200 feet of the drill path on the HDD entry side to the HDD entry location. See Figure 2.3.1-6 Typical HDD Drill Rig.

While the drilling of the pilot hole is underway, approximately five sets of steel piles (10 piles total) known as goal posts, probably due to their similarity in appearance to football goal posts, would be installed on the south side of the HDD exit pit to help support the drill pipe during the drilling operation (see Figure 2.3.1-7). Another 60 steel piles, known as fender piles, would be installed to prevent support vessels from accidentally coming into contact with the clamshell or jack-up barge during the HDD operation. All 70 of these piles, consisting of steel pipe measuring 14 to 16 inches in diameter, would be installed using two vibratory hammers. One vibratory hammer would be in the process of positioning while the other is actively hammering. 10 The installation of the piles would be completed in approximately 1 week with about 10 piles driven each day. Transco estimates that it would take approximately 60 seconds of

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continuous vibratory driving to install each pile. Thus, the total operating time of the vibratory hammer would be less than one day of continuous operation spread over a period of one week.

After the pilot hole is completed, it would be enlarged to a diameter sufficient for the 26-inch diameter pipeline plus the casing that would be installed at the entry site. The enlargement of the pilot hole would be accomplished by a tool known as a reamer that would be attached to the drill head.

When the enlarged hole is suitable for installation of the HDD pipe segment, the 10 goal-post piles would be removed using a vibratory hammer. Approximately 60 seconds of continuous operation of the vibratory hammer spread over a period of one to two days would be required to extract each goal post pile. After the goal posts are removed, the jack-up barge would be moved and the pipe lay barge would be repositioned to support the installation of the HDD pipe segment through the combined effort of the onshore and offshore equipment, which would insert the HDD segment into the offshore HDD exit hole and pull it back to the HDD entry hole (see Figure 2.3.1-8).

After the HDD pipe segment is installed and before it is connected to any other sections of pipe, it would be hydrostatically tested a second time (see Section 2.3.1.11 for additional discussion of hydrostatic testing). When this second hydrostatic test is successfully completed, Transco would remove the casing at the onshore entry location and demobilize any remaining HDD equipment.

Following completion of the HDD, the 60 fender piles would be extracted using the vibratory hammer. Transco estimates that removal of the fender piles would be completed in approximately one week with about 10 piles extracted each day. Approximately 60 seconds of continuous operation of the vibratory hammer would be required to extract each pile. The total operating time of the vibratory hammer for the extraction of the fender piles would be less than one day spread over a period of one week."

CO11-11

This above is the description of the Horizontal Directional Drilling. Drilling fluids and cuttings will be left in an open pit, covered by a very shallow amount of native material. Representatives of NOAA NMFS, which had long held that the drilling fluids and cuttings should be removed, were not at the meeting where it was decided they would be left in place. At the time of DEIS publication, a winter project was written about.

Now, picture the above descriptions of activity—and all the other ocean construction described—happening in summer, some of it as little as a half-mile offshore. Picture bathers at Riis Park Beach. You have to imagine all this, because that confluence of events is not pictured for us in the DEIS.

B. The DEIS does not adequately address the impacts on fish and wildlife, including threatened and endangered species, particularly in light of the delay in construction.

CO11-11

See the responses to comments CM1-14 and CO11-4.

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As noted above, the change in the construction period for the project requires issuance of a revised DEIS, to allow the public to comment on the impacts that will occur during the new period. However, even based on what is already disclosed in the DEIS, it is plain that the document is patently deficient in its consideration of these impacts.

Once again, the DEIS states unequivocally that construction of the pipeline will take place over a six month period, beginning "in early Spring." DEIS at 4-45; *see also id.* at 2-32. Throughout the DEIS's analysis of impacts the agency relies on this start date to conclude that impacts on wildlife and other resources will be low. Thus, for example, the agency states that doing the work in "early Spring" will insure that "water temperatures are still cool enough to be non-optimal for most biological activity in the marine environment." DEIS at 4-45.

CO11-12 The DEIS's analysis of impacts on wildlife is replete with reliance on this schedule. *E.g.* DEIS at 4-28 (acknowledging that "the impacts of the project on wildlife" will depend on the wildlife present when construction takes place). Thus, in considering the adverse impacts associated with the project's many activities – *e.g.* offshore excavation, pile driving, directional drilling (which may result in the release of drilling fluids, DEIS at 4-32), vessel use (which may result in ship strikes, *id.* at 4-33) – the DEIS repeatedly relies on the time period of construction. Indeed, although the DEIS recognizes that "*up to 13 species of marine mammals are transients that use the Atlantic Ocean south of Long Island during the year*," the agency summarily dismisses impacts to many of them by stating that the "Atlantic white-sided dolphin, bottlenose dolphin, long-finned pilot whale, short-finned pilot whale, minke whale, humpback whale, and fine whale are highly unlikely to be present in the Rockaway Project area during the proposed offshore construction period." *Id.* at 4-33 (emphasis added).

Moreover, while the DEIS acknowledges likely adverse impacts to federally-listed species, including the critically imperiled right whale and Atlantic sturgeon, there too the agency relies on the periods these species are present relative to the construction period in considering the impacts. For example, the DEIS recognizes that "Atlantic sturgeon would likely be present in higher numbers in the vicinity of the Rockaway Delivery Lateral during the *late* spring (April to June) and fall (September to November), not in early Spring when construction was assumed to commence. DEIS at 4-70.

Similar information is provided for multiple other species, including 3 separate imperiled species of sea turtle. DEIS at 4-75 (explaining those three species may be found in the project area in the summer and fall months, but not the Spring when construction was planned as per the DEIS). Indeed, when analyzing the impacts of "underwater noise" on the sea turtles, the DEIS states that while sea turtles could be disturbed by this noise, "most of the offshore work would likely be completed during the spring when sea turtles are less likely to be present." DEIS at 4-76; *id.* at 4-77 (noting that bottom-dredging and jet-trenching also may have adverse impacts on sea turtles, but only if "if construction occurs when these species are present in the region"). The

CO11-12

See the response to comment CM1-14. Section 4.5.2.2 of the EIS has been updated based on additional information filed by Transco and comments we received from NOAA Fisheries. Our recommendations regarding impacts on Atlantic sturgeon and right whale (may effect, likely to adversely effect) have not changed, and we expect that NOAA Fisheries will issue a Biological Opinion on the Rockaway Project. Also see the responses to comments CO11-2 and CO11-4.

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CO11-12
(cont.)

DEIS dismisses adverse impacts on federally protected bird species on the same basis. DEIS at 4-80 (discussing the Roseate tern).

However, as also noted above, since issuance of the DEIS *the construction schedule has changed*. Accordingly, it could not be more clear that the DEIS fails to adequately consider the impacts of the project on wildlife, marine mammals, and the environment as a whole. *See, e.g., Cal. v. Block*, 690 F.2d 753, 770 (9th Cir. 1982); *Dubois v. Dept. of Agric.*, 102 F.3d 1273, 1292 (1st Cir. 1996) (DEIS inadequate where the proposal under consideration was substantially changed after issuance of the DEIS); *Mid-States Coalition for Progress v. Surface Tsptn Bd.*, 345 F.3d 520, 548 (8th Cir. 2003) (substantial changes in the proposed action relevant to environmental impacts make a DEIS deficient).

These problems are exacerbated here with respect to federally listed species in particular because, as also explained above, so much of the information on those impacts is either not included in the DEIS, or remains unknown. Indeed, while the DEIS informs the public that it is the agency's "official BA [Biological Assessment] for the Rockaway project," DEIS at 4-60 and thus that the public should rely on the DEIS to evaluate the agency's analysis of impacts on listed species, in fact, *weeks after the DEIS was issued, on October 18, 2013 Williams submitted a separate BA with other information*. *See* Oct. 2013 BA on the Rockaway Delivery Lateral Project (BA).

That BA acknowledges that, contrary to the DEIS the public was asked to comment on, construction will not begin until the "late spring." BA at 2-3. On that basis, the BA now *changes* the findings of adverse effects stated in the DEIS the public has been asked to comment on. For example, the DEIS concludes that the project is "likely to adversely affect" the critically imperiled right whale. DEIS at 4-61. As a result, the public had every reason to expect that the National Marine Fisheries Service would prepare a full-blown Biological Opinion (Bi-Op) analyzing those impacts.

In fact, according to the Canadian Whale Institute, "The actual migration path is not well understood." The Institute continues "there are several gaps in our knowledge. Generally, right whales move from the only known winter calving ground in the coastal waters off Florida and Georgia (also known as the Georgia Bight) to spring feeding grounds in the Great South Channel and Cape Cod Bay," *see* http://www.rightwhale.ca/migration_e.php. Given this uncertainty by marine biologists, we have reason for concern about the presence of migrating right whales in the waters of the New York Bight during construction of the project.

C. FERC is unlawfully segmenting the pipeline project

Under NEPA, an agency preparing an EIS may not artificially segment its analysis, *see* 40 C.F.R. § 1508.25; where a major federal action is actually much broader than what is proposed by an applicant, the perceived environmental impacts of the action are unduly

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minimized. *See, e.g., Citizens' Comm. to Save Our Canyons v. U.S. Forest Serv.*, 297 F.3d 1012, 1028 (10th Cir. 2002). CEQ regulations thus require combined analysis of smaller actions that are "connected," "similar," or have "cumulative impacts." 40 C.F.R. § 1508.25. Essentially, "segmentation defeats NEPA's dual purpose of requiring agencies to consider environmental impacts and disseminating information about environmental impacts to the public." A. Hood, *The Same NEPA Proposal or Connected NEPA Actions?*, 37 B.C. Envtl. Aff. L. Rev. 191, 206 (2010), <http://lawdigitalcommons.bc.edu/ealr/vol37/iss1/7>.

Factors to be considered by an agency when deciding whether to consider two (or more) projects in tandem include whether the actions are located on the same site, whether a project will require additional development that will have adverse environmental impacts, whether the agency conceived of other proposed actions or future projects as an integrated whole, and whether the proposed project would preclude options for future related projects. *See generally* Daniel R. Mandelker, *NEPA Law and Litigation* § 9.16 (2d ed. 1992 & Supp. 2012). Moreover, where one project lacks independent utility without another project or projects, all should be evaluated *together*. *See* 23 C.F.R. § 771.111(f).

CO11-13 In this case, FERC ought to have considered the Brooklyn Queen Interconnect ("BQI") together with the Projects addressed in the DEIS. As Transco's own marketing materials explain, the Rockaway Delivery Lateral project and the BQI are meant – *in combination* – "to provide a long-term solution to meet the supply needs of National Grid's system by delivering natural gas to the Brooklyn area." *See* Williams Transco Pipeline Poster, *available at* <http://williamscom.files.wordpress.com/2012/05/rockawayposters.pdf> (last visited December 6, 2013).

Thus, the BQI and the Rockaway Delivery Lateral project are, unquestionably, located at the same site and dependent upon each other. Neither project possesses independent utility, and the placement of the BQI piping precludes alternative locations for the Rockaway Delivery Lateral. While the DEIS touches cursorily on the BQI, it fails to present the projects together as a connected proposal, and to fully analyze them as such. This failure warrants the issuance of a revised DEIS.

D. M & R Station and Coastal Siting – Risk of flooding

i. Hurricanes and Flooding

The Draft Environmental Impact Statement (DEIS) Section 4.1.4.2 (on Hurricanes) states:

An analysis by the New York State Emergency Management Office (2005) found that the entire Rockaway Peninsula and much of the Brooklyn-Queens area could be flooded due to Category 3, 4 or 5 hurricanes depending on the direction of prevailing winds at landfall, distance from the eye of the storm, eye wall intensity,

CO11-13 See the responses to comments CM1-56 and CM1-122.

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and tide level, but the risk of flooding during a major hurricane event is difficult to predict. The Intergovernmental Panel on Climate Change considers it likely that hurricanes will become more intense as a result of climate change and sea level rise, but the total number of storms could decline (Pachauri and Renninger, 2007).

CO11-14

If storms grow in intensity, whether or not the total number of storms declines, the impacts of such storms on the Rockaway Lateral Pipeline and the Metering and Regulating Station pose an unacceptable risk. Damage to the pipeline could result from wind, flooding, or flying debris, whether the equipment and infrastructure is in operation or not.

As stated in the DSEIS: *"Transco states that the ability to forecast hurricanes several days in advance would allow it to ensure the safety and integrity of its system...."*

Communications and power were out after Superstorm Sandy in South Brooklyn and the Rockaways for several days. It is uncertain whether a weather event warning would indeed be provided in enough time for the company to respond, and even if Transco did shut down the flow of gas through the pipeline, the flooding of the equipment could damage it to the point of requiring replacement of part or all of the metering and regulating station.

"Water, together with hydrocarbons, favors the generation of solids, in particular during the decompression of gas from high-pressure pipelines. The solids block gas fittings, and the water is corrosive." <http://www.pipelineandgasjournal.com/fundamentals-gas-pipeline-metering-stations?page=show>

CO11-15

The floor level at airplane hangars 1 and 2 is 13.9 feet above sea level. The Metering and Regulating Station to be sited in those historic hangars is to be elevated above floor level by one foot. During Superstorm Sandy, the waters surged to a height just a few feet below the hangars. Across Flatbush Avenue from Hangar Row lies the marina at Dead Horse Bay. On October 29, 2012, Superstorm Sandy wreaked havoc on the marina, tossing boats about and destroying structures on the ground. Transco was requested by FERC to submit an updated FEMA map after the storm. In Section 4.1.4.3 of the DSEIS (on Flooding) the following statement is found.

According to FERC, *"Transco conducted a site-specific land survey of the proposed M&R facility site to determine the elevations of the site relative to FEMA's designated 100-year floodplain (i.e., the area with a 1 percent proposed probability of flooding in a given year). The survey determined that the lowest floor elevation inside the proposed M&R facility is approximately 2.9 feet above the 100-year floodplain delineated in the recent ABE mapping (FEMA, 2012b)."*

The FEMA map referenced immediately above is dated 2012. It seems unlikely that a map could have been drawn up within two months of the storm to reflect new data about flooding after that extreme weather event.

CO11-14

See the responses to comments CM1-8, CM1-50, and IND22-1.

CO11-15

See the response to comment CM1-8.

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CO11-15
(cont.) However, given the unpredictability of climate events according to the Intergovernmental Panel on Climate Change, even an elevation of 2.9 feet is insufficient guarantee of protection of the M&R station from flooding and salt water damage.

CO11-16 The pressure entering the Rockaway Lateral Pipeline from the Lower New York Bay pipeline may reach over 960 pounds per square inch. The regulator's job is to lower that pressure.

But according to Mark McDonald, president of the New England Gas Workers Association,

"Water can cause the regulator to be stuck open completely, in the wide open position ... If that happens, it dramatically increases the pressure and it can cause serious problems down the line. If gas is coming into a home or a business at a much higher pressure than it's supposed to, it can cause a fire or even an explosion. In addition, prolonged exposure to water can contribute to accelerated corrosion of the regulators, causing gas leaks that could trigger an explosion or fire."

Flood Damage to NYC Natural Gas System Could Pose Long-Term Public Safety Threat, <http://www.naturalgaswatch.org/?p=1580>.

CO11-17 If there is a major fire, NYC is ill prepared to fight one. Firemen tell us that in Floyd Bennett Field, many of the hydrants don't work and others have insufficient water pressure to respond to a fire. The National Parks Service, which oversees Floyd Bennett Field and Gateway National Recreation Area, admitted that the broken hydrants have not been repaired since the New York Post reported about their condition last year. "In terms of the fire hydrants, nothing has changed," said National Parks Service spokesman John Warren. *Floyd Bennett Field Hydrants Don't Work, Critics Say*, Residents blast Floyd Bennett Field pipeline plan, by Colin Mixson, available at http://www.brooklyndaily.com/stories/2012/32/mm_floydbennettpumps_2012_08_10_bk.html.

E. Rockaway Delivery Lateral Project – Risks & potential catastrophe

CO11-18 i. Technical competence

According to the DSEIS, "Under Section (C) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate to construct and operate them. The Commission bases its decisions on technical competence, financing, rates, market demand, gas supply, environmental impact, long-term feasibility, and other issues concerning a proposed project."

CO11-16 See the response to comment CM1-50.

CO11-17 See the response to comment CM2-27.

CO11-18 See the response to comment CO3-1.

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CO11-18
(cont.)

As reported in June 2012, the Williams Companies had been under federal corrective order for 44 of previous 45 months, according to Natural Gas Watch (<http://www.naturalgaswatch.org/?p=1305>).

Here are **some of the 35** reportable accidents they have had since 2006:

- Appomattox, VA, September 2008 – pipeline fails, blowing a fireball that scorched an area 1,125 feet in diameter, leveling two homes and injuring 5 people and damaging 100 homes.
- Alabama, 2011 – pipeline ruptures, shooting flames 100 feet into the air for 90 minutes after the pipeline was shut off; the explosion is heard more than 30 miles away.
- Springfield Township, PA, March 2012 – explosion blows hole in roof of compressor station, shakes homes a half mile away.
- Ellicott City, MD, July 2013 – Natural gas pipeline explodes, witnesses describe the sound as that of a jet plane landing on the roof. Fortunately nobody was injured.

The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a *Corrective Action Order* to Williams Partners on Dec. 6, 2011, in connection with the massive natural gas explosion that occurred in Marengo County, Alabama, on Dec. 3, 2011, on the company's Transco pipeline:

On December 3, 2011, one of the five parallel natural gas pipelines in Transco ruptured in Marengo County, Alabama. The force of the rupture created a large crater and propelled a 47-foot, 3-inch piece of buried pipe more than 200 feet away. The releasing gas also ignited and continued to burn for several hours, causing damage to one of the adjoining pipelines and scorching approximately eight acres of surrounding property.

Owner of PA Natural Gas Facility that Exploded Has Lengthy Record of Pipeline Safety Violations, Natural Gas Watch <http://www.naturalgaswatch.org/?p=1305>.

After an investigation of the incident PHMSA noted that Williams, "has not determined whether the conditions that caused the failure exist on other portions of Transco," and determined that if Transco continued to operate the pipeline it would likely result in "serious harm to life, property, and the environment." *Id.*

In addition, other Williams companies have been cited by PHMSA for natural gas safety violations, including:

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CO11-18
(cont.)

- June 24, 2011 – Williams Partners subsidiary, the Transcontinental Gas Pipeline Co. LLC, was fined \$23,800 by PHMSA for failure to conduct annual inspections of natural gas compressor stations in Texas and Louisiana.
- March 5, 2012 – Williams Partners subsidiary, the Transcontinental Gas Pipeline Co. LLC fined \$50,000 by PHMSA for failure to follow its own, internal policies related to controlling external corrosion in natural gas pipelines running through the New York City borough of Staten Island.

ii. Lack of safety oversight

CO11-19

Given the spotty safety record of Williams Transco, it is even more disturbing that the little-known federal agency charged with monitoring the system and enforcing safety measures — the Pipeline and Hazardous Materials Safety Administration — “is chronically short of inspectors and lacks the resources needed to hire more, leaving much of the regulatory control in the hands of pipeline operators themselves, according to federal reports, an examination of agency data and interviews with safety experts.” *See also, e.g., Caspian Realty, Inc. v. Zoning Board of Appeals of Town of Greenburgh*, 68 A.D.3d 62, 72 (N.Y. App. Div. 2009) (finding applicant’s history of non-compliance relevant to health, safety and welfare of community). *See also* Dan Frosch and Janet Roberts, *Pipeline Spills Put Safeguards Under Scrutiny*, N.Y. Times, Sept. 9, 2011, available at http://www.nytimes.com/2011/09/10/business/energy-environment/agency-struggles-to-safeguard-pipeline-system.html?_r=3&pagewanted=1&.

iii. The Barrier Peninsula

CO11-20

The job of the M&R station is to meter and then regulate the enormous pressure in the pipeline. There would be no such regulation of the high pressure of this gas as it enters the Rockaway Peninsula through the Rockaway Lateral Pipeline. The Rockaways suffered extreme damage from the surging tide and the force of wind and water on the shore and homes on that peninsula. Many houses were completely destroyed, the boardwalk tossed up onto homes and streets like sticks, and cars thrown upon piles of sand blown from the sea floor. The risks to a barrier peninsula already shown to be so vulnerable to extreme weather are unconscionably high, and the Rockaway Lateral Pipeline project should be reconsidered with a new draft Environmental Impact Statement reflecting all of the above concerns.

iv. Radon

CO11-21

Assemblywoman Linda Rosenthal has launched a bill to protect New Yorkers against radon exposure from shale gas. *See also* [Video](#); Al Appleton connects the dots on Spectra, radon and boilers at Cooper Union Forum on Radon, <http://www.youtube.com/watch?v=YFWwW8jadWw>; *Video*; Dr. Sheila Bushkin-Bedient at Cooper Union Forum on Radon, <http://www.youtube.com/watch?v=2p-DBDKSctg>.

CO11-19

Comment noted. As discussed in Section 4.12.1 of the EIS, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is responsible for ensuring that people and the environment are protected from the risk of pipeline incidents. In New York, this responsibility is shared with the New York State Public Service Commission’s Office of Electric, Gas and Water. Through certification by PHMSA’s Office of Pipeline Safety (OPS), New York State regulates and inspects both intrastate and interstate gas and liquid pipeline operators, though the OPS is responsible for enforcement actions on interstate facilities. Also see the response to comment CM1-31.

CO11-20

The Rockaway Delivery Lateral would tie-in with the 26-inch diameter BQI pipeline, which would be operated with a similar Maximum Allowable Operating Pressure (MAOP).

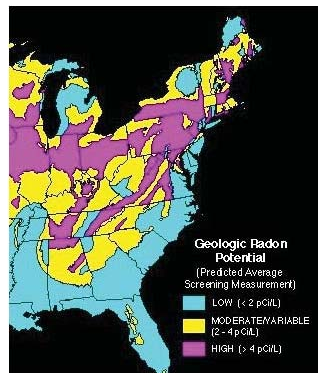
CO11-21

See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

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CO11-21
(cont.)



Radon is a radioactive gas that is released whenever gas is extracted. It travels with the gas through pipelines to the point of use. Radon has always been present in natural gas, and is currently present in the NYC gas supply. However, the gas supply to New York City is changing. Prior to the use of high-volume, slick water, hydraulic fracturing (fracking), the gas coming to New York City was supplied from areas in Texas, Louisiana and the Southwest, or as the map at left indicates (in blue), from areas of low radioactivity and at great distance.

As shown on the map above (in pink) The Marcellus shale play is particularly high in radioactivity. Scientists estimate it is between 10 to 70 times more radioactive than average. Following the development of fracking, more and more of New York's gas supply will be coming from this area. The proposed Spectra pipeline has been leased to Chesapeake Energy, one of the main Marcellus drillers.

The fact that this source is physically much closer to New York also means that the radon has less time to decay in transit, a matter of hours from drill sites in Pennsylvania. It follows that radon levels in city apartments will therefore be higher as the proportion of Marcellus gas in our supply increases. During winter months, when demand is higher, gas is delivered faster, and with apartment windows tending to be closed, the risk would be even greater.

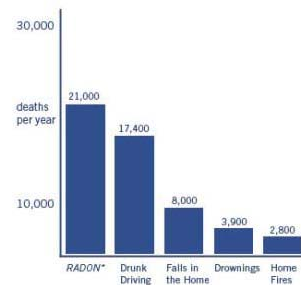
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CO11-21
(cont.)

Radon is an inert gas, it cannot be burned off or mitigated except by radioactive decay. It has a half-life of 3.8 days. Using the general rule of thumb of 10 half-lives to decay to 1/1000 of original concentration, that would be 38 days, or roughly one month.

With radon gas, the minimum dangerous concentration is much lower if breathed in. Twenty half-lives (or 1/1,000,000 of original concentration) would require 76 days or two and a half months. When fully decayed, radon converts to polonium and finally lead, also dangerous substances.



CO11-22

Of particular concern is the typical New York City kitchen, which tends to be small, poorly ventilated, and usually without a window or hood vented to the outside. City building codes now prohibit external wall vents for cooking appliances and gas dryers. Most apartments have only a recirculating hood or a passive wall vent. Passive vents are connected to other apartments via a vertical duct and release to the roof of the building. In many homes, that vent is often sealed to block neighbor's cooking odors, exacerbating the problem of poor ventilation.

CO11-23

Although—like asbestos—when inhaled, there is no safe amount of radon, the EPA has set a measure of 4 picocuries per liter (pCi/L) as the “actionable” level inside a home. Researchers at Johns Hopkins advocate for lowering the actionable level of radon to 2pCi/L, because of the high levels of background radiation in modern life. The majority of readings from recent citywide tests, organized by Sane Energy Project, showed radon levels in the gas supplied to city kitchens measuring less than .3 pCi/L. At the moment, our radon levels are very low, and we want to keep it that way.

CO11-22

Comment noted. See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO11-23

The estimate of 30,000 lung cancer deaths due to increased exposure to radon is attributed to Resnikoff (2012). Anspaugh (2012) concluded that this estimate is flawed because it assumed that the radon concentration in natural gas would be 1,953.97 picoCuries per liter (pCi/L) at the burner tip. Anspaugh found that radon concentrations in natural gas in pipelines from the Marcellus shale at New York entry points measured between 16.9 and 44.1 pCi/L and averaged 28.46 pCi/L. Anspaugh concluded that the radon exposure risk due to domestic use of natural gas is small to nonexistent. These results are consistent with studies by Johnson et al. (1973), Gogolak (1980), Van Netten et al. (1998), and Dixon (2001). Also see Section 4.11.1.5 of the EIS and the responses to comments CM1-21.

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CO11-23
(cont.)

The Spectra pipeline, the Rockaway Lateral, and planned upgrades at the Harlem Transco metering station, will increase the proportion of Marcellus gas mixed into the city's gas supply. This could increase the risk that NYC residents will inhale radon when they cook with their gas stoves, do laundry with their gas dryers, or maintain their gas boilers. Radon is the leading cause of lung cancer in non-smokers, and the increased exposure could potentially cause an additional 30,000 lung cancer deaths.

CO11-24

Radon is even more of a danger to children and pets, because it is a "heavy" gas (it decays to lead) and is known to "sink," meaning it seeks the lowest level of the space it occupies. Combined with studies that link gas cooking emissions with lowered infant development, this is truly cause for alarm. The draft EIS (Environmental Impact Statement) of the Spectra pipeline did not include radon in its review of issues. This is a subject that deserves study before any more Marcellus gas is delivered to the residents of the five boroughs, where it may endanger the health of tens of thousands of citizens. Radon levels in residential gas must be monitored and kept at current low levels.

CO11-25

In addition to the inhalation risk, radon and its source, radium, create other problems with pipelines: As the gas travels, decay causes radioactive elements (the so-called, "daughters of radon") to plate out on the sides of the pipelines, eventually creating radioactive "hot pipes." Replacement, disposal, and cross-contamination with nearby water pipes and utilities could be yet another result of the use of high-radon fracked gas. See, e.g., [Map](#); US Geological Survey; [Chart](#); Comparative danger of radon, from EPA website; Radon in Natural Gas from Marcellus Shale By [Marvin Resnikoff](#); Radioactive Waste Management Associates; Sierra Club Atlantic Chapter [press release](#) quoting Professor James W. Ring, Professor Emeritus of Nuclear Physics at Hamilton College; Gas Emissions can Stifle Infant Development, [Environmental Health News](#); EPA [guide](#) to Radon.

Radon is the leading cause of lung cancer in non-smokers; it is responsible for more deaths (21,000 annually) than drunk driving (17,400 annually). Although—like asbestos—when inhaled, there is no safe amount of radon, the EPA has set a measure of 4 picocuries per liter (pCi/L) as the "actionable" level inside a home.

Researchers at Johns Hopkins and the World Health Organization now advocate for lowering the actionable level of radon to 2pCi/L, because of the high levels of background radiation in modern life.

Using the general rule of thumb of 10 half-lives to decay to 1/1000 of original concentration, that would require 38 days, or roughly one month. With radon gas, the minimum dangerous concentration is much lower if breathed in. Twenty half-lives (or 1/1,000,000 of original concentration) would require 76 days or two and a half months. So the time that radon

CO11-24 See the response to comment CM1-21.

CO11-25 See the response to comment CO5-8.

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can be considered dangerous is much longer than public perception, and, even when decayed, radon converts to polonium and finally lead, also dangerous substances.

Radon is even more of a danger to children and pets, because it is a "heavy" gas (it decays to lead) and is known to "sink," meaning it seeks the lowest level of the space it occupies. Combined with studies that link gas cooking emissions with lowered infant development, radon is truly a legitimate public health risk.

The DSEIS reads: "Since radon is not destroyed by combustion, burning natural gas containing radon can increase the level of radon within a home (Agency for Toxic Substances and Disease Registry, 2010)."

CO11-26

TRUE. In many homes, the source of radon is the ground itself, with radon occurring in basements and requiring ventilation to mitigate any risks. However, in New York City, most apartment dwellers are not exposed to radon except through the gas they use in their kitchens, laundries, and boiler rooms.

The majority of readings from recent citywide tests, organized by Sane Energy Project, showed radon levels in the gas supplied to city kitchens in 2011 and 2012 measuring less than .3 pCi/L. Historically, our radon levels have been very low, and we call on that FERC and the EPA, as agencies charged with the protection of the public interest, do everything in their power to keep it that way.

The DSEIS reads: "Several factors limit the indoor exposure to radon from natural gas. Radon's half-life, defined as the time it takes for the element to decay to half its initial concentration, is relatively short (3.8 days). The time needed to gather, process, store, and deliver natural gas allows a portion of the entrained radon to decay, which decreases the amount of radon in the gas before it is used in a residence."

CO11-27

THAT DEPENDS. Prior to the development of gas extraction via fracking in the Marcellus Shale, the gas coming to New York City was supplied from areas in Texas, Louisiana and the Southwest, traveling long distances and extracted from shale plays the USGS has identified as areas of low radioactivity.

As the USGS confirms, the Marcellus shale play is particularly high in radioactivity; Scientists estimate it is between 10 to 70 times more radioactive than average. With the Rockaway Lateral, along with other and new pipelines, such as the Williams-Transco upgrade at West 134th Street in Manhattan, and the Spectra Pipeline (the last two already online as of November 1st, 2013), all intended to deliver Marcellus gas to the NY and Long Island markets, more and more of New York's gas supply will be coming from high-radon shale plays. Even if the supply is mixed with gas from more distance shale plays, all things being equal, a larger

CO11-26

Comment noted.

CO11-27

See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

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CO11-27
(cont.) percentage of Marcellus gas is being mixed into the supply, and that percentage will increase as time goes on and other shale plays diminish in production (which is already happening).

The fact that the Marcellus is physically much closer to New York also means that the radon has less time to decay in transit, a matter of hours from drill sites in Pennsylvania. It follows that radon levels in city apartments will therefore be higher as the proportion of Marcellus gas in our supply increases.

During winter months, when demand is higher, gas is delivered faster, and with apartment windows tending to be closed and more cooking being done, the risk would be even greater. The increased exposure could potentially cause an additional 30,000 lung cancer deaths. We call on FERC to study and report on the expected level of radon in Marcellus versus other sources, before the EIS can be considered complete. We demand that Williams-Transco and National Grid detail the exact source, radioactivity level, and percentage of the gas mix they intend to deliver to consumers.

The DSEIS reads: *"The required venting of appliance exhausts from water heaters, furnaces, and other appliances also limits potential exposure pathways to radon emissions."*

CO11-28 **NOT ALWAYS.** Let's talk about the reality of exhausts in NYC, as opposed to what FERC might assume from reading building code. FERC is likely unfamiliar with actual venting circumstances in NYC apartments, but our colleague, Clare Donohue, is not. As a professional kitchen and bath designer, working for 15 years in NYC she can attest to the lack of ventilation available, especially in older housing stock, which is the majority of the supply. While newer buildings may comply with current requirements for proper air exchanges, older kitchens almost never do. There are very few "grandfathered" external vents remaining.

The typical New York City kitchen tends to be small, poorly ventilated, and usually without a hood vented to the outside, often without a window. NYC building codes now prohibit external wall vents for cooking appliances and gas dryers, and most apartments have only a recirculating hood or a passive wall vent. Passive vents are connected to other apartments via a vertical duct that releases to the roof. In many buildings, the roof fan that might create a draw through that duct is broken. In many homes, that wall vent is often sealed to block neighbor's cooking odors, exacerbating the problem of poor ventilation.

The reality of New Yorker's busy lives, an apartment-dweller's lack of awareness of proper maintenance, or lack of access in high-rise apartment buildings, means that vents for laundry are rarely, if ever, cleaned, and are usually doing a very poor job of venting. This is discovered anytime we perform a demolition of an existing laundry vent. The answer to, "When was the last time this duct was cleaned?" is always, "Never."

CO11-28

Comment noted. See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

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CO11-28
(cont.) We call on FERC to examine, catalog and report on the actual ventilation situation in NYC apartments and homes before the EIS can be considered complete. The agency and the public should know whether ventilation realities, in combination with potentially higher radon in the gas supply, will endanger public health.

The DSEIS reads: *"While the FERC has no regulatory authority to set, monitor, or respond to indoor radon levels, many local, state, and federal entities establish and enforce radon exposure standards for indoor air."*

CO11-29 **THAT'S A PUNT.** NEPA, the National Environmental Policy Act of 1970, demands that FERC take the required "hard look" at radon and make a "good faith analysis" of environmental issues connected to any federal project. FERC is clearly not acting in good faith here and needs to take responsibility for protecting the public. The EPA is very much required to enforce radon standards and should not be signing off on this DSEIS without intense study of the radon issue. We call on FERC and EPA to step up and do their duty to protect public health against radon.

The DSEIS reads: *"It is expected that the combustion of gas transported by the Projects would comply with all applicable air emission standards."*

CO11-30 **BASED ON WHAT?** What exactly are the "applicable standards" FERC refers to? What agency will be monitoring the delivered gas to know if it complies? What exactly gives FERC the expectation that the gas delivered will comply, when the gas supply being delivered after the pipeline goes into service will be different from the gas supply historically delivered? We call on FERC to supply data that backs up their claim.

The DSEIS reads: *"In the unlikely event that these standards are exceeded, the necessary modifications would be implemented to ensure public safety."*

CO11-31 **WHAT MODIFICATIONS AND BY WHOM?** There are currently no laws or local codes that require the monitoring or mitigation of radon in natural gas delivered to the homes of consumers. Who does FERC expect will be watching to even KNOW if standards are exceeded? What methods of monitoring will be accepted as standard? Will consumers be required to monitor gas themselves, or will landlords, or will utilities? What method of reporting will be accepted as standard? WHAT modifications would be implemented if radon levels exceed accepted levels, by what agency and how quickly? How and when residents will be notified that their gas supply has exceeded regulated limits? What alternative will they be supplied for cooking and heating if their gas supply does exceed limits?

We call on FERC to examine and answer all of the above questions. FERC cannot pass off these unknowns as outside their jurisdiction. If FERC makes the claim that the public safety will be ensured, FERC must supply data and resources to back that claim up.

CO11-29 See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO11-30 See Section 4.11.1.5 of the EIS and the responses to comments CM1-21 and CO11-23.

CO11-31 See the response to comment CM1-21.

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CO11-32

The DSEIS does not address: In addition to the inhalation risk, radon and its source, radium, create other problems with pipelines: As the gas travels, decay causes radioactive elements (the so-called, "daughters of radon") to plate out on the sides of the pipelines, eventually creating radioactive "hot pipes."

Replacement, disposal, and cross-contamination with nearby water pipes and utilities could be yet another result of the use of high-radon fracked gas.

In apartment buildings, there are multiple rows of vertical gas pipes running through apartment walls for the entire height of the building. Will these pipes become a hazard if the gas running through them becomes dangerously radioactive? How will that additional radiation increase the cancer risk?

We call on FERC to examine and report on the risks of "hot pipes" and how this could affect apartment dwellers, plumbers, maintenance workers, and the crews of the utilities themselves.

In conclusion, we call on FERC to deny approval of this pipeline until the builder and utilities can PROVE the gas delivered will not contain dangerous levels of radon. We call on the EPA to be proactive, and PREVENT a public health crisis AS IS THEIR JOB. Your agencies are planning to wait until a health risk presents itself before you will respond, when you should be acting in the public interest NOW.

F. Adequacy of mitigation measures

CO11-33

i. In many instances, the DEIS fails to identify any specific mitigation measures.

In several instances, the DEIS acknowledges that specific mitigation measures have not yet been established, and then recommends that Transco come up with such measures *before commencing construction*, regardless of whether the public has had an opportunity to exercise their right to comment on the appropriateness and effectiveness of the proposed measures. Consider, for example, the following:

- **Emergency Response Procedures:** "Transco stated in its SPCC Plan that emergency response procedures for offshore spills would be identified after the contractor has been selected. Due to the potential impacts associated with the release of oil or other hazardous materials to the ocean during construction, we recommend that . . . Transco should . . . include specific measures that would be implemented to identify, control, and clean up any accidental leaks or spills from offshore construction vessels," DEIS at 4-20.

CO11-32

See the response to comment CO5-8.

CO11-33

As discussed in Section 5.1 of the EIS, we believe that environmental impacts would be reduced to less than significant levels if the Projects are constructed and operated in accordance with applicable laws and regulations, Transco's proposed mitigation, and our recommendations. The purpose of our recommendations is to ensure that information regarding mitigation measures is filed prior to construction.

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CO11-33
(cont.)

- **Monitoring of the Drill Path in the GNRA:** “[T]o ensure that impacts on piping plovers or any other sensitive species (such as seabach amaranth and seabach knotweed) are avoided[.] . . . Transco should consult with the NPS to identify a protocol for coordinated monitoring of the drill path in the GNRA,” *id.* at 4-81.
- **Noise Effects:** “To ensure that the site-specific noise mitigation plan contains the measures recommended in the acoustical assessment to limit noise contributions from the HDD entry point at nearby NSA’s to predicted levels . . . Transco should file with the Secretary a site-specific noise mitigation plan for the HDD onshore entry location,” *id.* at 4-157.
- **Vibration Effects:** “[S]imultaneous operation of multiple pieces of equipment or operation of equipment within 5 to 10 feet from the hangar walls could potentially cause damage. . . . Transco [should] identify a vibration level threshold for the hangar and prepare and implement a CPP, to include vibration monitoring, survey monitoring for movement of the building, and crack gauge monitoring, at the hangar during construction.” *Id.* at 4-166.
- **Effects Stemming from Scheduling Change:** Impacts upon certain areas “need additional analysis” because of the scheduling change. Sept. 17 Summary. “[I]f a significant impact will occur, Williams should leave ample time to *discuss options for mitigation.*” *Id.* (emphasis added); *see also, e.g., id.* (“Transco [should] develop a mitigation strategy for impacts to beach users during the summer.”).

In all of the above examples, it is explicitly recognized that: 1) there exists a potential for adverse impacts in one or more areas of concern; and, 2) Transco has yet to offer specifics as to how those impacts will be minimized or avoided. The public has the right to review and comment on whatever specifics Transco eventually offers. If details regarding mitigation measures are not available until after the comment period has closed, the public will be denied this right.

CO11-34

ii. Where specific mitigation measures are identified, the DEIS fails to adequately analyze their efficacy.

Where mitigation measures *are* identified, they are insufficiently analyzed, and their efficacy is wholly unsupported. Just as the DEIS does not adequately consider the environmental impacts of the Pipeline or the alternatives, FERC concludes, without any support, that all of the Projects’ impacts will be rendered insignificant, presumably by FERC’s recommended mitigation measures. *See, e.g.,* DEIS at ES-6 (“We conclude that the approval of the Projects would have some adverse impacts, but these impacts would be reduced to less-than-significant levels.”).

The DEIS fails to explain how any of the mitigation measures it identifies, however, will reduce the Projects’ impacts to “less-than-significant levels.” *E.g.,* DEIS at 4-4 (“Transco states that the ability to forecast hurricanes several days in advance would allow it to ensure the safety

CO11-34

See the responses to comments CM2-19, CO11-4, CO11-33, and IND10-16.

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(cont.) and integrity of its system despite any damage that might occur to the M & R facility.”); *See also* 40 C.F.R. § 1502.16(f) (EIS must include, in its discussion of environmental consequences, the “[n]atural or depletable resource requirements and conservation potential of various alternatives and mitigation measures”); *id.* at § 1502.16 (discussion of environmental consequences must include “any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man’s environment and the maintenance and enhancement of long-term productivity, and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented.”).

CO11-35 Moreover, the DEIS explicitly recognizes that one of the primary means of mitigation – the HDD drilling method – may not actually be feasible, at least as proposed by Transco’s submitted plans, which, unbelievably, have not yet been fully evaluated by an experienced HDD engineer:

Transco should have an experienced HDD engineer evaluate subsurface conditions along the HDD route *to confirm the feasibility of Transco’s proposed HDD crossing methodology* for the Rockaway Delivery Lateral . . . Transco could encounter complications during drilling that would require modifications to the planned HDD crossing, *including possibly abandoning the drill hole.*

DEIS at 4-6 (emphasis added). Yet, this potentially “unfeasible” HDD plan is cited numerous times throughout the DEIS as the method by which adverse impacts will be diminished or eliminated. *See, e.g., id.* at 4-14 (“Transco would implement measures outlined in its HDD Monitoring and Contingency Plan to minimize the risk of HDD complications and the potential for inadvertent releases of drilling fluid.”), 4-20 (“This [HDD] crossing method would avoid direct impacts on the wetland during construction and operation of the proposed pipeline.”), and 4-30 (“Transco selected the HDD construction method . . . to avoid impacting sensitive near-shore areas including the beach and significant habitats on the Rockaway Peninsula.”).

CO11-36 **IV. FERC has failed to notify the true stakeholders of this project**

FERC has failed to notify the true stakeholders of this project – namely, all of the people who use and enjoy the recreation area.

CO11-37 **V. The DEIS fails to meaningfully consider and compare the environmental impacts of reasonable alternatives.**

It is well-established that an EIS must consider a full range of reasonable alternatives. 42 U.S.C. § 4332(c). Indeed, the binding CEQ regulations state unequivocally that the consideration of alternatives is “the heart of the” EIS. 40 C.F.R. § 1504.14. The regulations further explain that the point of alternatives is to consider their *relative environmental impact*. Thus, the regulations explain, this part of the EIS must “present the environmental impacts of the

CO11-35 Section 4.1.7 of the EIS has been updated based on an assessment from Laney Directional Drilling Company confirming the feasibility of Transco’s proposed HDD crossing of the shoreline at Rockaway Beach.

CO11-36 See the response to comment CM1-1.

CO11-37 See the response to comment CM1-122 and text of comment FA3-3.

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(cont.) proposal and the alternatives *in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.*" *Id.* (emphasis added). The regulations also explicitly require full consideration of the "no action" alternative. *Id.* at 1504.14(d).

The DEIS here fails these requirements on multiple levels. As a threshold matter, the DEIS gives no meaningful consideration to the environmental *benefits* of the no action alternative. DEIS at 3-2. Indeed, as the DEIS itself notes, the Park Service had already explained that the pipeline will "stimulate construction of more homes and businesses, which in turn could result in *growth inducing impacts such as increased population density, water pollution, and traffic.*" *Id.* (emphasis added). The DEIS does not dispute this assertion; rather it simply states that those impacts are not due to *all* of the increased capacity the Pipeline will provide. *Id.* Thus, the DEIS must analyze, in "comparative form," 40 C.F.R. § 1504.14, the growth inducing impacts of the increased capacity that *will* exist as compared to what would occur without the pipeline.

Similarly, to the extent the DEIS discloses the adverse impacts that will occur to various resources – including, for example, on wildlife, recreational use, and other resources – the DEIS never compares any of those impacts to what would occur under the no action alternative. Indeed, this problem permeates almost all the alternatives, which the DEIS simply outlines, without ever analyzing their environmental impacts in comparative form. Thus, for example, by contrast the DEIS at least includes a *chart* that purports to compare some impacts associated with route alternatives. DEIS at 3-19. Although even that chart is woefully insufficient to meaningfully compare those alternatives, not even that cursory analysis is included for the long list of other alternatives identified. DEIS at 3-3 to 3-9.

Moreover, as discussed elsewhere in these comments, one of the significant variables in terms of impacts on wildlife associated with the project is *the time of year* in which construction occurs. However, the DEIS does not even begin to consider alternatives in that regard. To make an informed decision not only on the nature and scope of the project, but on when it will occur, the DEIS should consider – again, in "comparative form" – the relative environmental impacts associated with construction during various time periods. This consideration is critical not only because we already know the time period had changed, but because it is highly likely that it will change *further* in the coming months.

Finally, with regard to all of these deficiencies with the alternatives analysis, in order for the public to meaningfully comment, a revised DEIS should be issued with this analysis so that the public can understand the relative impacts of alternatives "in comparative form" and provide their comments to the agency. Only in that way can FERC carry out its obligation to fairly inform the public about the alternatives as part of the process of determining which alternative(s) to choose here.

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VI. The DEIS fails to consider climate change impacts.

A. The DEIS lacks information about how climate change is already impacting the environmental baseline in the Project area, and how those changes will combine with and exacerbate the impacts from approval of the Pipeline.

NEPA requires FERC to fully disclose the environmental consequences of its actions, and, thus, FERC was required to rigorously explore in the DEIS how ongoing climate change has impacted the environmental baseline in the Project area, and how those changes will combine with and exacerbate the impacts from approval of the Pipeline. The "Project" is defined herein as the M & R facility (hereafter the "M & R facility") and the Rockaway Lateral pipeline (hereafter the "Pipeline") construction and maintenance. Global warming's well-established impacts on resources including air quality, water quality, and plants and animals will combine with and exacerbate the Project's impacts, but the DEIS never addresses this critically important matter. In the DEIS, FERC instead provides only a very general summary of the greenhouse gases that are associated with climate change, *see* DEIS at 4.1.4.2, 4.1.4.3, 4.11.1.1, 4.11.1.4, and 4.13.15, in which FERC's only mention of 'climate' in the entire DGEIS are given and in which FERC omits any perspective on how each and all of the greenhouse gas emissions from the Pipeline compare to and are compounded by relevant regional, national and global past and future inventories of emissions. The Public is thereby deprived of meaningful opportunity to respond to the specific mitigation measures mentioned and/or available to remedy the Project's deficiencies.

Before any determination can be made by FERC, the Environmental Impact Statement ("EIS") that the Commission is preparing must carefully examine the Project's environmental impacts, both separately and cumulatively with the impacts of past, present, and reasonably foreseeable future actions. Among the significant environmental risks associated with climate change that should be examined are: degradation of water resources; serious and inadequately mitigated risks to the environment, impairment of ecosystem services; diminished air quality; harm to wildlife and botanical species of concern; and indirect climate impacts of the Project, including all of the above impacts in the regions from which gas would be mined to supply through the Pipeline to new markets (including but not limited to the 20% of total claimed anticipated Pipeline transported gas). New markets for gas will foreseeably cause more gas extraction to supply the markets with the attendant climate impacts due to land/forest clearance (emissions of decomposing biomass), gas leakage at new well pads as well as in transmission along the Pipeline, decreased vitality of remaining habitat, including forested areas in gas drilling areas and oceans undergoing predictable increases in ocean acidification, or the impacts due to economic impacts on competitiveness of non- or low-emissions alternative fuels (including solar, geothermal and wind power) due to the greater penetration of gas (increase supply and resulting lower prices) into new markets that might otherwise have converted to cleaner options for electricity and heat. None of these latter foreseeable effects of the Project have been mentioned and mitigated.

CO11-38

See the responses to comments CO7-1 and CO7-3. CEQ draft guidance for addressing climate change and GHG emissions in NEPA documents states "...it is not useful for the NEPA analysis to attempt to link specific climatological changes, or the environmental impacts thereof, to the particular project or emissions as such direct linkage is difficult to isolate and to understand" (CEQ, 2010). It is not possible to determine what impacts, if any, would occur to specific resources as a result of the GHG emissions associated with the Projects.

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CO11-39 B. The Impacts of Climate Change on the Environment

The EIS also should examine the Project's direct and indirect Greenhouse Gas (GHG) emissions, as well as the cumulative impact of those emissions and the GHG emissions of other pipeline projects and gas development activities in the region. GHG pollution is a potent local, regional, and national threat to public health and welfare, as the U.S. EPA has acknowledged. (U.S. EPA, Overview of Greenhouse Gases, <http://www.epa.gov/climatechange/ghgemissions/gases.html> (cited on July 16, 2013)). GHG emissions will increase global warming, harming both the local and global environments. The impacts of global warming include "increased air and ocean temperatures, changes in precipitation patterns, melting and thawing of global glaciers and ice, increasingly severe weather events, such as hurricanes of greater intensity, and sea level rise." (Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews, 76 Fed. Reg. at 52,738, 52,791-22 (citing U.S. EPA, 2011 U.S. Greenhouse Gas Inventory Report Executive Summary (2011)).

The impacts of increased climate change which would result from expansion of gas-dependent markets are therefore significant. For instance, the IPCC has concluded that it is "virtually certain," meaning that the probability of this impact is over 99 percent, that air quality will decrease due to increasing temperatures (i.e. global climate change). The two most important air pollutants that will be impacted by global warming are ozone and particulate matter. As noted above, both of these pollutants are responsible for severe public health and environmental impacts. Anthropogenic climate change can affect ozone by modifying (1) emissions of precursors, (2) atmospheric chemistry, and (3) transport and removal. While the overall impact on particulate pollution at different times and in different areas is less certain than for ozone, global warming may result in substantial increases in both ozone and particulate pollution with serious attendant health consequences. Declining air quality due to global warming could combine with the air impacts of the Project to result in substantially worse air quality than disclosed in the DEIS, yet FERC failed entirely to discuss this important issue.

A warming climate also will lead to flooding and erosion which will foreseeably cause loss of coastal land in the Project area, as well as indirect impacts such as the shrinking snowpack in Western states, increased wildfires, and reduced crop yields. (*Id.* at 66,532-33) More frequent heat waves as a result of global warming already have affected public health, leading to premature deaths, and threats to public health are expected only to increase as global warming intensifies. For example, a warming climate will lead to increased incidence of respiratory and infectious disease, greater air and water pollution, increased malnutrition, and greater casualties from fire, storms, and floods. (U.S. EPA, Climate Change, Health and Environmental Effects, <http://epa.gov/climatechange/effects/health.html>) Vulnerable populations—such as children, the elderly, and those with existing health problems—are the most at risk from these threats.

CO11-39 See the responses to comments CO7-1, CO7-3, and CO11-38.

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(cont.)

Additionally, global warming is also having and will continue to have well-established impacts on another critically important resource in the area: water availability. Streamflow and water availability have already been reduced and will continue to decrease, while surface water temperature will continue to increase. Leading researchers have concluded that "up to 60% of the climate related trends of river flow, winter air temperature, and snow pack between 1950 and 1999 are human-induced. These results are robust....[and] portend, in conjunction with previous work, a coming crisis in water supply for the western United States." Yet, the DEIS never discusses the combined impact of this decreasing water availability and the Project's foreseeable impacts on extensive extensive depletions.

The Applicant also fails to assess the risk that foreseeable severe and frequent flooding, increasingly due to climate impacts, would pose to the construction and operation of the Pipeline and M & R facility, providing instead a conclusory and general claim that "Transco would implement (measures) to avoid or minimize impacts from these storms" (see DGEIS 4.1.4.2 Hurricanes). No mention of the impacts of increases in storms and storm surges is addressed in the DGEIS including in the section on Application Alternatives, which notes that " ".

FERC should require the Applicant to conduct a thorough assessment of the risk that flooding poses to the construction and operation of the Pipeline across the inland waterbody and the seabed, where flooding and sedimentary scouring and great turbulence during storms and storm surges respectively are known to occur. Furthermore, the impacts of rising sea level on both the land and sea portion of the pipeline should be fully evaluated and reported by the Applicant, including an evaluation of any subsequent additional external pressures to which the pipeline would be exposed and the foreseeable impacts of erosion on the maintenance and safety of the proposed pipeline. The risk assessment should take into account the likelihood of more frequent and more severe storms as a result of climate change and should provide specific adaptation measures that will mitigate environmental impacts.

C. The Impacts of Unconventional Gas Extraction and Transportation on Climate Change

The Project would result in direct and indirect emissions of climate-change-causing greenhouse gases ("GHGs"): carbon dioxide ("CO₂") and nitrous oxide ("N₂O") from compressor engines, line heaters, and generators; fugitive methane emissions from compressors and the Pipeline; and black carbon emissions from diesel vehicles and equipment that would be involved in extracting the extra gas that would be provided to the Pipeline and that would be building and maintaining the Pipeline and M & R facility. While the Applicant claims to provide an estimate of the Project's GHG emissions by providing an accounting according to the EPA's Greenhouse Gas Reporting Program (GHGRP), there is no breakdown of the claimed emissions per element of the Project's GHG emissions profile other than 1) the Construction of the Rockaway Pipeline and 2) the Operation of the M & R facility. The absence of such a breakdown

CO11-40

CO11-40

GHG emissions due to construction and operation of the Projects are discussed in Sections 4.11.1.2, 4.11.1.3, and 4.11.1.4 of the EIS. GHG emissions are expressed in units of CO₂ equivalent, which is the aggregate of carbon dioxide, methane, and nitrous oxide. Fugitive emissions are addressed in Section 4.11.1.3 of the EIS. The Project design includes a leak detection and repair program (see Section 4.12).

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(cont.) renders intangible the Applicant's few claimed mitigation measures, for instance, the venting of the M&R facility's "valves and other pipeline control devices" into National Grid gas distribution system instead of into the atmosphere. The Applicant specifies neither whether all of leakage within the M&R facility would be avoided by its mitigation measures nor what the pretended means of mitigation is. This lack of specificity prevents the public from properly considering and responding to the environmental harms threatened by the Project or the promise of and possible preferable alternatives to its proposed mitigation measures.

To comply with NEPA, adverse environmental impacts of gas leakage must be adequately estimated and mitigation proposals must be set out that specifically and quantifiably address those impacts. Applicant must set out in detail its estimate of the following:

- i) GHG emission of each component of the Project, including but not limited to valves, other (specified) "pipeline control devices", accidental rupture or failure;
- ii) mitigation measures to address each of these foreseeable possibilities, including what proportion of total estimated emissions would be avoided by the proposed measures.

CO11-41 The transmission of the gas from wells and its distribution in pipelines also results in the leakage of methane. The Applicant has miscalculated a significant component of total GHG emissions of its gas infrastructure Project in two ways:

- i) by in explicitly leaving out leakage from the pipeline in its total GHG inventory; and
- ii) by using what appears to be a misleading figure and timeframe for estimating the GWP of the gas that would escape.

Re. i) above, the Applicant writes: "(t)he estimated GHG emissions from construction of the Rockaway Project, and operation of the M&R facility on a potential (8,760 hours per year) basis, are approximately 8,571 and 20,659 metric tpy, respectively. The GHGRP does not apply to construction emissions, but we have included the construction emissions" (see 4.11.1.4 Greenhouse Gas Emissions).

Re. ii) above, the Applicant writes that "(t)he primary GHGs produced by fossil fuel combustion are CO₂, CH₄ (editor's note: Methane), and N₂O. . . .Emissions of GHGs are typically expressed in terms of CO₂e, where the potential of each gas to increase heating in the atmosphere is expressed as a multiple of the heating potential of CO₂, or its global warming potential (GWP). CO₂ has a GWP of 1, CH₄ has a GWP of approximately 21, and N₂O has a GWP of approximately 310 (EPA, 2013a)." (underlining mine, See 4.11.1.4 Greenhouse Gas Emissions).

The Applicant submitted estimates of methane's GWP as 21x that of CO₂ over a 100-

CO11-41

No emissions due to operation of the Rockaway Delivery Lateral are anticipated. As stated in Table 4.11.1-9 of the EIS, GHG emissions from operation of the Rockaway Project would be limited to the operation of four pipeline heating units and an emergency generator at the M&R facility. We note that on November 29, 2013, the EPA issued a final rule in the *Federal Register* revising the global warming potential of methane required by its GHG Reporting Program to 25, reflecting the most current science. Also see the response to comment CM1-68.

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(cont.)

year time frame. This estimate ignored various indirect radiative forcings (contributions to the Greenhouse effect) and that the impacts within the 20-year time frame are critical given the well-established need to address growing concentrations of GHG expeditiously and the uncertainty and risks of triggering numerous tipping points that would amplify existing forcings significantly. While this 21x figure has had its shelf-life usefully extended by politicians and their allies promoting natural gas extraction, it should no longer be considered the scientific norm for understanding the atmospheric release of methane impacts on the climate. It is noteworthy to point out that, in 2013, the EPA [proposed](#) increasing the number to 25 within a 100-year time frame, in line with the 2007 IPCC estimate (Jason Mark, "[Methane's Contribution to Global Warming is Worse than You Thought](#)," Earth Island Journal, August 20, 2012). The GWP for methane within a 20-year time frame is over 100x that of CO₂.

Howarth et al (2011) have estimated the greenhouse gas (GHG) footprint of methane using its global-warming potential (GWP) - a relative measure of how much heat a greenhouse gas traps in the atmosphere. The GWP compares the amount of heat trapped by a certain mass of gas, like methane, to the amount of heat trapped by a similar mass of carbon dioxide. On a mass-to-mass basis when compared to CO₂, the researchers gave methane a global warming potential of 105 and 33 for the 20-- and 100--year horizons, based on a 2009 study in *Science* that they said accounts for "the latest information on methane interactions with other radiatively active materials in the atmosphere" (Robert W. Howarth, Renee Santoro, & Anthony Ingraffea, "[Venting and leaking of methane from shale gas development: response to Cathles et al.](#)," Climatic Change, Jan 12, 2012). As has been convincingly argued, on a 20-year basis, the GHG footprint of shale gas compared to coal is 20% to 100% larger. (Robert W. Howarth, Renee Santoro, and Anthony Ingraffea, "[Methane and the greenhouse-gas footprint of natural gas from shale formations: A letter](#)," Climatic Change, March 2011).

The 20-year time frame is important for the public and policy-makers to consider when evaluating environmental impacts of emissions as it is within this shorter time-frame within which the GWP of methane leaked from gas infrastructure will contribute to irreversible (on human time scale) global warming or will be adequately addressed by public policy.

There is strong evidence that emissions from natural gas production are higher than has been commonly understood. In particular, a recent study by a consortium of researchers led by the NOAA Earth System Research Laboratory observed pollution concentrations near gas fields and recorded levels substantially greater than EPA estimates have predicted. The NOAA study monitored air quality around oil and gas fields (G. Petron et al., *Hydrocarbon Emissions Characterization in the Colorado Front Range: A Pilot Study*, 117 J. of Geophysical Research 4304 (2012)). The researchers observed high levels of methane, propane, benzene, and other VOCs in the air around the fields. According to the study authors, their "analysis suggests that the emissions of the species we measured"—that is, the cancer-causing, smog-forming, and climate-disrupting pollutants released from these operations—"are most likely underestimated in current inventories," perhaps by as much as a factor of two (*Id.* at 4304).

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CO11-42 Expanding capacity at the Pennsylvania compressor stations supplying gas to the Project would also increase the fugitive methane leaked because of the Project ("The U.S. natural gas transmission network contains more than 279,000 pipeline miles. Along this network, compressor stations are one of the largest sources of fugitive emissions, producing an estimated 50.7 billion cubic feet (Bcf) of methane emissions annually from leaking compressors and other equipment components such as valves, flanges, connections, and open-ended lines." U.S. EPA, Lessons Learned from Natural Gas STAR Partners 1, *available at* http://www.epa.gov/gasstar/documents/l1_dimcompstat.pdf)

CO11-43 D. Greenhouse Gases as Pollutants

In addition to the Project's toxic air pollution, the EIS also should examine the Project's direct and indirect GHG emissions, as well as the cumulative impact of those emissions and the GHG emissions of other pipeline projects and gas development activities in the region. GHG pollution is a potent local, regional, and national threat to public health and welfare, as the U.S. EPA has acknowledged.114 GHG emissions will increase global warming, harming both the local and global environments. The impacts of global warming include "increased air and ocean temperatures, changes in precipitation patterns, melting and thawing of global glaciers and ice, increasingly severe weather events, such as hurricanes of greater intensity, and sea level rise" (Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews, 76 Fed. Reg. at 52,738, 52,791-22 (citing U.S. EPA, 2011 U.S. Greenhouse Gas Inventory Report Executive Summary (2011)).

E. Climate Impacts of the Project's Induced Actions

CO11-44 In addition to the direct impacts to natural resources located in the immediate vicinity of the Project, the availability of the infrastructure necessary to bring gas to market from a region underlain by the Marcellus Shale formation is likely to induce the development of additional gas wells, including those developed utilizing the extraction technique of high volume hydraulic fracturing. The No Action Alternative impermissibly dismisses in a conclusory fashion the possibility that renewable energy sources and conservation measures can displace the extra gas that would be supplied by the Project with clean energy (see the study of Dr. Marc Jacobson (Engineering, PhD, Stanford) on renewable energy resources in New York State (www.stanford.edu/group/cfmh/jacobson/Articles/1/NewYorkWWSEnPolicy.pdf).

CO11-45 Indirect emissions, "which are caused by the [proposed] action and are later in time or farther removed in distance, but are still reasonably foreseeable," 40 C.F.R. § 1508.8(b), are among the effects that agencies are required to consider under NEPA. *See id.* § 1508.25(c). The Council on Environmental Quality ("CEQ") Draft Guidance notes that "for Federal actions that require an EA or EIS the direct and indirect GHG emissions from the action should be considered in scoping," and these GHG impacts should be considered in the context of the

CO11-42 Comment noted. Fugitive emissions from Compressor Station 195 are included in Tables 4.11.1-10 and 4.11.1-11 of the EIS.

CO11-43 GHG emissions are discussed in Sections 4.11.1.2, 4.11.1.3, 4.11.1.4, and 4.13.13.1 of the EIS. Also see the responses to comments CO7-1, CO7-3, and CO11-38.

CO11-44 See the response to comment CM1-6.

CO11-45 Renewable energy alternatives and the referenced study by Jacobson et al. (2013) are discussed in Section 3.2.2 of the EIS.

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"aggregate effects of past, present, and reasonably foreseeable future actions" (CEQ, Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions 5, 9-10 (Feb. 18, 2010) (emphasis added), *available at* http://ceq.hss.doe.gov/nepa/regs/Consideration_of_Effects_of_GHG_Draft_NEPA_Guidance_FI_NAL_02182010.pdf (notice of availability published at 75 Fed. Reg. 8,046 (Feb. 23, 2010))). One indirect effect of the Project's transportation of natural gas from the Marcellus Shale and beyond (see Transco pipeline map) is that this gas will be combusted for use, releasing additional GHGs that cause climate change. This effect is not only reasonably foreseeable, it is certain. Where CEQ has called for NEPA analyses of GHG sources to "take account of all phases and elements of the proposed action over its expected life," (*Id.* at 5) such certain downstream effects of a gas pipeline should be assessed. Moreover, cumulative impact analysis requires that these GHG emissions *and upstream effects* be considered in the context of GHGs emitted from gas wells and other infrastructure that already exists and will foreseeably be operating in the Marcellus Shale (and other) region(s) which might supply gas to the Project (*See* Martina C. Barnes et al., USDA, Forests, Water and People: Drinking water supply and forest lands in the Northeast and Midwest United States vi, 2 (2009) (hereinafter "USDA Northeast Report"), *available at* http://na.fs.fed.us/pubs/misc/watersupply/forests_water_people_watersupply.pdf).

CO11-46

CO11-46 See the responses to comments CO7-1, CO7-3, and CO11-38.

CO11-47

FERC's avoidance of a probing analysis of the Project's climate impacts is unreasonable. Many impacts of global warming in the Project area have been predicted with a high degree of both certainty and precision, providing FERC with more than adequate information to analyze the combined impact of global warming and the Project's impacts on resources such as air quality and water availability, as well as impacts to imperiled plants and animals. Federal agencies' mandatory duty to take a hard look at the ongoing impacts of global warming in NEPA documents has been affirmed by the Courts. As the courts have recognized:

Global warming has already affected plants, animals, and ecosystems around the world. Some scientists predict that 'on the basis of mid-range climate-warming scenarios for 2050, that 15-37% of species in our sample of regions and taxa will be 'committed to extinction.' In addition, there will be serious consequences for human health, including the spread of infectious and respiratory diseases, if worldwide emissions continue on current trajectories. Sea level rise and increased ocean temperatures are also associated with increasing weather variability and heightened intensity of storms such as hurricanes. Past projections have underestimated sea level rise. Several studies also show that climate change may be non-linear, meaning that there are positive feedback mechanisms that may push global warming past a dangerous threshold (the 'tipping point').

See Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin., 538 F.3d 1172, 1190-91 (9th Cir. 2008) (citations omitted).

CO11-47 See the response to comment CO11-38.

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(cont.)

The DEIS is fatally flawed by the absence of any serious consideration of the combined effect of changing baseline environmental conditions and the Project's impacts to affected resources such as air quality, water availability, and imperiled species.

F. Viability of Renewable Energy Sources Diminished by Project

CO11-48 According to the International Energy Agency's WEO 2012, private and public investment in fossil fuel projects over the next quarter-century will outpace investment in renewable energy by a ratio of three to one, raising questions of how much growth of gas supplies takes away from investment in zero carbon sources, as opposed to bridging to them. The approval of this project would promote gas and its polluting impacts at the expense of renewables against which gas is given unfair advantage through access to public lands, expedited approvals, lack of accounting for the costs continued extraction and use imposes on public goods, including clean air, water, viable ecosystems, and future generations which give current humans's lives meaning. Already, gas is displacing renewable (no- or low-emissions energy sources. A 2013 CO2 Scorecard study concluded that, in 2011 and 2012, natural gas was already displacing the use of lower carbon hydropower, as well as nuclear power (Shakeb Afsah and Kendyl Salcito, "Shale Gas: Killing Coal without Cutting CO2," CO2 Scorecard, Dec 02, 2013)

CO11-49

The above mentioned study focuses on production of electricity from gas as opposed to coal which ignores the far greater use of gas for heat (70% versus 30%), which use shows no credible documented efficiency benefits of gas over coal and therefore suggests that greenhouse gas emissions of gas extraction and use make it worse than comparable uses of coal and therefore net-negative for the climate.

CONCLUSION

To conclude, this DEIS is the product of a broken system. Too often, co-operating agencies respond to the volumes of material offered for their review with a single-page form letter acceding to the action. FERC relies on these agency assessments and approvals. The fast-track process appears to encourage this level of non-engagement. And FERC relies on the vague, un-supported, and self-serving reassurances of the pipeline company. Actually, the DEIS author FERC, being itself supported by the industry it supposedly regulates, is seriously compromised.

Respectfully submitted,

CO11-48

Renewable energy alternatives are discussed in Section 3.2.2 of the EIS.

CO11-49

See the response to comment CM1-68.

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Maureen Healy
On behalf of Coalition Against the
Rockaway Pipeline

INDIVIDUALS

IND1 – Karen Orlando

10/10/2013

Ms. Bose and FERC commissioners,

On January 7th, 2013, Transcontinental Gas Pipeline Company (Transco) filed an application with the Federal Energy Regulatory Commission (FERC) in Docket CP13-36 for the proposed Rockaway Delivery Lateral Project under Section 7c of the Natural Gas Act and Parts 157 and 284 of the Commissions regulations. That application was not in compliance with Part 157 and was not factual.

IND1-1

Under Part 157, specifically 157.6 b (5) the applicant was required to provide: "A full statement as to whether any other application to supplement or effectuate applicant's proposals must be or is to be filed by applicant, any of applicant's customers, or any other person, with any other Federal, State, or other regulatory body; and if so, the nature and status of each such application." (see footnote 1.)

On page 14 of the Rockaway Lateral Application, under the heading IX Other Authorizations, Transco submitted the following statement: "**Transco is not aware of any application to supplement or effectuate its proposals** setforth herein which must be or is filed by Transco...."

Subsequently Transco filed an application under docket CP13-132 that appears very much to be necessary for Transco to effectuate its Rockaway Project proposal. According to notice in the Federal Register Volume 78, Number 87 on Monday, May 6, 2013, FERC gave notice to prepare an environmental impact statement for the Northeast Connector Project which would "allow

IND1-1

Comment noted. We determined that the Northeast Connector Project would not be necessary and would not be implemented if not for the Rockaway Project after Transco filed its application for the Northeast Connector Project. Since that time, documents placed in the docket for the Rockaway Project have also been placed in the docket for the Northeast Connector Project and vice-versa. Additionally, we have used a combined mailing list for both Projects. Copies of our *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Northeast Connector Project and Request for Comments on Environmental Issues* as well as our *Notice of Availability of the Draft Environmental Impact Statement for the Proposed Rockaway Delivery Lateral and Northeast Connector Projects and Notice of Comment Meetings* were mailed to all parties on the combined mailing list. Impacts associated with both Projects are evaluated in the EIS.

IND1 – Karen Orlando (cont'd)

IND1-1
(cont'd)

Transco to deliver an additional 100,000 dekatherms per day of natural gas to Brooklyn Union Gas Company, doing business as National Grid New York via an interconnect between Transco's existing Lower New York Bay Lateral and the proposed Rockaway Project.” (See footnote 2.)

Transco's statement that they were unaware of any application on January 7, 2013, such as their subsequently submitted application for the Northeast Connector, that needed to be filed to effectuate their Rockaway Lateral proposal was not factual and is not believable. In the first place, the Northeast Connector was at that time and is still described on their website. Moreover under CP13-132, Transco clearly states that they held an open season in 2009 for the firm transportation capacity of 100,000dths described in that application. In addition, an ICF report released in 2012 and titled “Assessment of New York City Natural Gas Market Fundamentals and Life Cycle Fuel Emissions” also references the Northeast Connector Project. (footnote 3)

I am an intervenor in docket CP13-36 and I did not receive notice from Transco that they had filed an application for the Northeast Connector on 4/9/2013. Transco did not submit this information under docket CP13-36 even while they were engaged in submitting other information at this time under docket CP13-36 during April 2013.

I would like the commissioners to take notice that this is not the first time that an intervenor or intervenors (such as myself, Joseph Nerone, Barbara Pearson and Joe Bonesario,) or other companies such as Atlantic Sea Island Group LLC, have raised the issue that this applicant has provided misleading information or left out information under Docket CP13-36. This is a pattern

IND1 – Karen Orlando (cont'd)

IND1-1
(cont'd)

that dates back to 2009 and numerous instances of the applicant providing misleading or non-factual information to the FERC and to the public have been brought to the attention of FERC under this docket.

IND1-2

Are there no minimum requirements for applicants to provide what appears to me to be information required under Section 7C of the NGA? Does the FERC have no means to enforce compliance? The applicant so far among other things mentioned in this document and stated previously has either provided misleading information or failed to provide factual information about proposed LNG tie-ins to their existing NYLBL and other applications necessary for their Rockaway Lateral Project's stated purpose and goals. I would further like to bring to FERC's attention that the applicant was asked repeated times by myself, an intervenor and member of the public, to clarify what the incremental supply would be from both projects beginning in May 2013. Transco's application dated January 7, 2013 and their resource reports which stated that the Rockaway Lateral was providing an incremental supply of 100,000dths to National were incorrect. Without the upstream compression provided by the Northeast Connector, the Rockaway Lateral would not be providing an incremental supply of gas.

Thanks,

Karen Orlando

IND1-2

Comment noted. Applicants are required to submit all of the information specified in Part 157 of the Commission's regulations. As described in Section 1.1 of the EIS, the Projects would provide firm delivery lateral service of 647 Mdth/d of natural gas to National Grid's distribution system, of which 100 Mdth/d would be incremental (i.e., additional) supply. Also see the response to comment IND1-1.

IND1 – Karen Orlando (cont'd)

1. <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=769c1315edd55f686dd8b337849d2cd3&rgn=div8&view=text&node=18:1.0.1.5.44.1.25.3&idno=18>
2. <http://www.gpo.gov/fdsys/pkg/FR-2013-05-06/html/2013-10613.htm>
3. http://www.nyc.gov/html/om/pdf/2012/icf_natural_gas_study.pdf

I am certifying that all on docket CP13-36 were served today. However I am unsure that FERC is accepting public comment during the current government shutdown, but these documents were submitted and served.

IND2 – Karen Orlando

20131021-5015 FERC PDF (Unofficial) 10/18/2013 9:26:05 PM

Response to Williams supplemental info dated 10/18/2013 re: National Grid non-factual letter dated Sept 24,2013

10/18/2013

<http://www.scribd.com/doc/110071924/brooklyn-queens-interconnect-environmental-assessment-statement> The Environmental Assessment for National Grid's BQJ project

Ms. Bose,

On Sept 24,2013 John V. Vaugh submitted a letter to Williams which is in direct conflict with the Environmental Assesment and the information in it supplied by National Grid upon which the Mayor's Negative Declaration dated Dec 2011 for National Grid's BQJ was based.

Attachment A: Project Description and Purpose and Need (PageA-1)

"To reinforce its natural gas transmission and distribution systems and **to provide for projected increases** in energy demand, National Grid proposes to install new natural gas pipelines in theBoroughs of Brooklyn and Queens. In Phase I, two pipelines (a 12-inch and a 26-inch line)would be installed beneath Flatbush Avenue from a point in the vicinity of the southernmostairplane hangar on Floyd Bennett Field, using horizontal directional drilling (HDD) along areasadjacent to the Marine Parkway-Gil Hodges Bridge and under the Rockaway Inlet south toBeach 169th Street on the Rockaway Peninsula in Queens.

These two pipelineswould be connected to existing 8-inch distribution pipelines operating at the typical natural gasdistribution pressure used in households on both the Brooklyn and Queens sides of theRockaway Inlet and would deliver natural gas from Brooklyn to the Rockaway Peninsula asdistribution pipelines."...

(Page 1-4)

"The 26-inch pipeline would initially be connected to existing pipelines on both the Brooklyn andQueens sides, and would also supply natural gas to the Rockaway Peninsula at distributionpressure. When the Williams' Transco Project is built, the 26-inch pipeline would bedisconnected from the 8-inch pipelines in Brooklyn and Queens, and connected to the interstatepipeline to supply natural gas to Brooklyn. **If the Williams' Transco project were not to be built,the 26-inch pipeline would remain in service as a distribution line moving natural gas fromBrooklyn into the Rockaway Peninsula gas system. In this case the 26-inch line would serve as aredundant pipeline to the 12-inch pipeline."**

IND2 – Karen Orlando (cont'd)

20131021-5015 FERC PDF (Unofficial) 10/18/2013 9:26:05 PM

IND2-1 | There is no factual evidence for National Grid's recently submitted vague statements about Congressional delays as the record on HR2606 shows that it moved swiftly introduced in summer 2011, passed in the house and moved into subcommittee in the Senate in March 2012 and THEN Transco introduced the public to the project at a series of open house meetings in April 2012. It moved so swiftly that the public was not aware of that bill before Williams project was introduced to them.

There is no factual evidence for National Grid's statement that the Companies have become less comfortable with other arrangements they have with third party pipelines and their statement that it is extremely important that the Rockaway Lateral Project not be delayed beyond winter heating season commencing Nov 2014 as this is in direct conflict with their statement that if the Rockaway Lateral was not approved and built their 26 inch pipe would continue to serve as a redundant feed to the rockaways.

IND2-2 | A summer schedule for drilling which would conflict with Gateway National Recreation Area Riis beach uses simply to accommodate National Grid when their own EA on the a project they are constructing currently would not serve the public interest. A draft EIS was issued on Oct 4th which the public is invited to comment on until November 25th. This summer schedule is not listed nor described in that draft and was only submitted into the public record today 10/18 by Williams.

Williams has missed deadlines, refused to comply with recommendations or information asked by federal agencies like the Army Corps and failed to comply with regulations in their original 7c application. The FERC and the public should not be rushed by National Grid or Williams both of whom have presented conflicting statements in statements about the need and purpose of their projects.

What is the projected construction date? I have a draft EIS nearly 900 pages in front of me and this information is being submitted today? Why? I object to summer drilling at Riis beach very strongly.

Thanks,

Karen Orlando

IND2-1 | See the responses to comments CM1-12 and CM2-32.

IND2-2 | See the response to comment CM1-14.

IND3 – Barbara Pearson

20131021-5002 FERC PDF (Unofficial) 10/18/2013 5:28:07 PM

IND3-1 | Barbara Pearson, Brooklyn, NY.
I object to the filing of a letter from National Grid made today by Williams.
The letter contains zero factual information about the increase in demand
National Grid has experienced and the future increase in demand it speaks of is
speculative and therefore not a valid reason for FERC to adhere to any schedule
other than one that takes all the time necessary to fully and accurately vet
this project's environmental effects and purported merits and benefits.

IND3-1

Comment noted.

IND4 – Barbara Pearson

20131021-5007 FERC PDF (Unofficial) 10/19/2013 4:38:16 PM

Barbara Pearson, Brooklyn, NY.

Re: National Grid's letter filed by Williams on 10/18

IND4-1 | So-called delays resulting from Williams choosing to site the metering and regulating station inappropriately in historic hangars on national park land are a problem of their own making that they should not now be allowed to use to request that FERC provide relief from in the form of expedited review and disposition of their application.

IND4-1

Comment noted.

IND5 – Ava Berman

20131022-5114 FERC PDF (Unofficial) 10/22/2013 4:27:39 PM

Ava Berman, Queens, NY.
To Whom it May Concern,

My name is Ava Berman. I am a native of the Bronx, a graduate student at Baruch College in public policy and I oppose the Rockaway Pipeline project.

IND5-1 | Given the devastating impact of Superstorm Sandy on the Rockaway communities, any risk or potential for adverse environments impact, is too much risk for the Rockaways.

IND5-2 | In addition, the pipeline will:
1) Cause significant damage to the ecologically sensitive seabase of Jamaica Bay, with disruption to flora and fauna in the area

IND5-3 | 2) Put beach-goers, park users, and area residents at risk, as pipeline leaks and explosions are common.

IND5-4 | 3) Promote fracking, a procedure that empirically threatens human health and the environment. Because the project is so costly, it puts economic pressure on Williams Transco to continue pumping gas through, and the only new sources of gas are extracted from shale formations.

IND5-5 | 3) And this gas is radioactive-Shale gas from the Marcellus has extremely high levels of radon, the second highest cause of lung cancer in the US, which further puts residents and local species of flora and fauna at risk.

IND5-6 | Lastly the designated site for the pipeline's regulating station is only two feet above Sandy's storm surge. Thus, another super storm could result in a devastating fire or pipeline leak.

IND5-7 | Far too often in the construction of pipelines-i.e.: Spectra in Manhattan-do we see human health and environmental safety trumped by corporate influence and short-term economic profit. This is why I am speaking out on behalf of countless community members and activists who do refuse to bear the risk of this project. It's time for public policy to speak for the communities who are actually impacted by its enactment.

Thank you,
Ava Berman

IND5-1 | Comment noted.

IND5-2 | No portion of the Rockaway Project would be built within Jamaica Bay. Impacts on vegetation and wildlife are discussed in Sections 4.4, 4.5, 4.6, and 4.7 of the EIS.

IND5-3 | Section 4.12 of the EIS discusses the localized risks to public safety that could result from a pipeline failure and describes how applicable safety regulations and standards would minimize the potential for these risks.

IND5-4 | See the response to comment CM1-6.

IND5-5 | See the response to comment CM1-21.

IND5-6 | Comment noted. Also see the responses to comments CM1-8 and CM1-50.

IND5-7 | Your opposition to the Rockaway Project is noted.

IND6 – Karen Orlando

20131023-5007 FERC PDF (Unofficial) 10/22/2013 11:38:00 PM

F2013-0027 Consistency Review : Recent
supplemental information/construction time
change/national grid

Me

To matthew.maraglio@dos.ny.gov
Oct 20 at 8:36 PM
Hello Mr. Maraglio,

IND6-1

After FERC issued the draft EIS for the Rockaway Lateral and Northeast Connector projects on Oct 4, 2013, Williams subsequently submitted supplemental information which included both a change in the construction schedule to coincide with prime beach season from Memorial Day straight through Labor Day and they also submitted a letter from National Grid which is in direct conflict with the information that National Grid submitted in their own Environmental Assessment forms on which the Mayor's Negative Declaration for the BQI was based. Specifically National Grid now claims that the Nov 2014 date is critical for their needs when in fact they stated that if Transco's project were never built the 26 inch pipe that they just built under the rockaway inlet could continue to be used as a secondary backfeed to the Rockaways. <http://www.scribd.com/doc/110071924/brooklyn-queens-interconnect-environmental-assessment-statement> (Attachment A, Section 1.4) Further National Grid has provided no information that this nov 2014 in service date is critical to them as Transco's other expansion into Brooklyn the Northeast Supply Link should be coming on very soon. Further it is the fault of Williams for not only not including the Northeast Connector in their original 7C application this January but their insistence that they did not have to follow the Army Corps requirement for a 4 foot burial of this pipe that the FERC process and EIS has been delayed. Why should the public and the public's enjoyment of Riis beach during the summer season be penalized for the failure of this company to meet deadlines and comply with federal agencies requests?

There is no good reason to accept this new construction time frame. Has Williams even answered what the construction time frame then would be for the M&R station and if it would be possible for this construction to facilitate a nov 2014 service date? The M&R and hangar rehabilitation has a 12 to 14 month time frame. Does this mean that the M&R will be in operation while construction of the building occurs around it?

How is this company getting away with the way they are supplying information on this project? There is still outstanding information, completely new construction time periods and yet the public is commenting on an incomplete draft?

Please look out for the interest of the public here. If agencies were meeting in September to discuss this new construction schedule I do not understand why Transco waited until after the draft EIS was released and until this past Friday, Oct 18 to make this information available to the public.

Karen Orlando

IND6-1

See the responses to comments CM1-14 and IND2-1.

IND6 – Karen Orlando (cont'd)

20131023-5007 FERC PDF (Unofficial) 10/22/2013 11:38:00 PM

10/22/2013

Ms. Bose,

I would like to submit my last comments and email to DOS here for the public record regarding the new construction time frame to coincide with prime time beach season here at Gateway National Recreation Area Riis beach in the Rockaways.

Thanks,

Karen Orlando

IND7 – Barbara Pearson

The New York City Natural Gas Supply Enhancement Act states that the lease for the metering and regulating station at Floyd Bennett Field is subject to 16 U.S.C § 1a-2(k), the third paragraph of which states:

Buildings and associated property leased

- shall be used for an activity that is consistent with the **purposes established by law** for the unit in which the building is located;
- shall not result in degradation of the purposes and values of the unit; and
- shall be compatible with National Park Service programs.

The following is taken directly from Chapter 1 of the Gateway National Recreation Area Draft General Management Plan Environmental Impact Statement:

Park Purpose

The park purpose is a specific reason why Congress established Gateway as a unit of the national park system. The purpose statement provides the most fundamental criteria against which the appropriateness of all planning recommendations, operational decisions, and actions are tested. The park's purpose is based on interpretation of its authorizing legislation and legislative history.

Park Purpose: Gateway National Recreation Area provides a national park experience in the country's largest metropolitan area. The park preserves a mosaic of coastal ecosystems and natural areas interwoven with historic coastal defense and maritime sites around New York's Outer Harbor. Beaches, marshes, waters, scenic views, and open space offer resource-based recreational opportunities to a diverse public, recognizing the importance to preserve these special places for future generations.

IND7-1 | NPS says it themselves in their GMP – the park's purpose is to provide recreation. An industrial metering and regulating station has nothing to do with recreation and therefore is not consistent with the purposes established by law for the unit in which the building is located (Floyd Bennett Field, Jamaica Bay Unit, Gateway National Recreation Area)

IND7-1

See the response to comment CM1-34.

IND7 – Barbara Pearson (cont'd)

The GMP continues:

Park Significance

Statements of significance define what makes the park unique—why it is important enough to our cultural heritage to warrant national park designation and how it differs from other parts of the country. These statements are tools for setting resource protection priorities and for identifying appropriate experiences. Each area of the park contains many significant resources, but not all these resources contribute to why the park was designated.

Fundamental Resources and Values

Fundamental resources and values are the park's attributes—its features, systems, processes, experiences, stories, scenes, sounds, smells, opportunities for visitor enjoyment, or others— that are critical to achieving the park's purpose and to maintaining its significance. These fundamental resources and values provide Gateway managers and staff with a focus on what is truly most important about this park. They help focus efforts and funding on the resources and experiences that matter most. (emphasis added).

Coastal Systems and Natural Areas

Significance Statement

Gateway contains an assemblage of coastal ecosystems formed by natural features, both physical and biological, that include barrier peninsulas, estuaries, oceans, and maritime uplands. The habitats that compose these ecosystems, so rare in such highly developed areas (emphasis added), support a rich biota that includes migratory birds, marine finfish and shellfish, plant communities, and rare, threatened, and endangered species. These features provide opportunities to restore, study, enhance, and experience coastal habitats and ecosystem processes.

Fundamental Resources and Values

- Beaches/dune system at Bergen Beach, Breezy Point Tip, Fort Tilden, Great Kills, Jacob Riis Park, Plumb Beach, and Sandy Hook
- Natural Areas at Breezy Point Tip, Crooke's Point, Floyd Bennett Field, Fort Tilden, Great Kills, Hoffman and Swinburne Islands, Jamaica Bay Wildlife Refuge, and Sandy Hook
- Jamaica Bay waters, including inlets, submerged lands, and Dead Horse Bay

IND7 – Barbara Pearson (cont'd)

- Sandy Hook maritime forest
- Beach experience, including access to ocean surf
- Direct sensory experience with natural elements
- Public access to bay and ocean
- Darkness and night sky

IND7-2 | These passages show how leasing the hangars for the M&R station most definitely will degrade the purposes and values of the park. As one very obvious and simple example, there's not going to be very much darkness for viewing the night sky around that M&R station, now is there? And the lights at the M&R station will affect the ambient light of the park for a great distance, which is, of course, exactly what those lights are meant to do.

More from the GMP:

Diverse Recreation Opportunities Significance

The vast and diverse park resources at the gateway to the most densely populated region of the United States provide an abundance of outstanding recreational and educational opportunities.

Fundamental Resources and Values

- Feelings associated with open space in a high-density area
- Views of New York Outer Harbor
- Recreation experiences including the following:
 - Nature observation such as bird watching, contemplation of physical environment, quiet, astronomy
 - Water-based activities such as surfing, boating, fishing, and swimming
 - Walking/hiking, biking, and horseback riding on trails
 - Picnicking
 - Visiting historic sites

IND7-3 | The M&R station represents lost opportunities for the public, not provision of opportunities to the public. I request the FERC require NPS to supply a list of exactly what programs of theirs the M&R station is compatible with.

And NPS just continues to make the case against the M&R in their GMP:

Interpretive Theme

IND7-2

The M&R facility would be located in an urban area along a major roadway (Flatbush Avenue), which is lined with street lights. Operation of the facility is unlikely to result in significant impacts on nighttime lighting conditions.

IND7-3

See the response to comment CM1-34.

IND7 – Barbara Pearson (cont'd)

Recreation and Education: Quality of Urban Life for All Visitors.

The human need for recreation and renewal has resulted in an evolving history of traditional and innovative uses of the park's lands and waters to improve the quality of urban life. Intrinsically connected to the diverse population of the New York metropolitan area, Gateway's resources provide unique opportunities for outdoor recreation and rejuvenation in a densely populated and largely impacted metropolitan area. It is an outdoor laboratory for learning and discovery, where academic facts and knowledge can be observed in real settings. The park's open spaces and wide horizons offer opportunities for resource-based recreation as well as contemplation and reflection.

IND7-4 | NPS makes the case themselves that Gateway is an extremely valuable and unique place given its location in the most densely populated urban area in the country. We cannot afford to waste a single square foot of this park on any use that doesn't give park users what they need and what Gateway is mandated to provide.

IND7-4

Your opposition to the Rockaway Project is noted.

IND8 – Zach Mikhalko

20131024-5001(28858026).txt

Zach Mikhalko, Brooklyn, NY.
To whom it may concern:

IND8-1 My name is Zach Mikhalko. I live in Brooklyn, NY more specifically Greenpoint. I regularly visit Jacob Riis Beach and Floyd Bennett Field for recreational purposes and would most certainly like to keep it that way. It should not be turned into an industrial park because of Transcontinental overstepping its boundaries.

To use Transcontinental's words from PF 09-8, "the construction of a Metering and Regulating station would change the use of the property from recreational to industrial use and be outside of the purpose for National Park Service.

I would hope that the National Parks Service would not work hand in hand with a corporation that will potentially ruin the purpose of the park, but my hopes can only reach so far.

I hope this federal commission can step in and stop this project because the community has been overlooked and lied to by Transcontinental.

It's a shame that corporations have the power to side step processes and make huge donations to benefit their own interests.

Please do not change the purpose of the park and do not allow Transcontinental to build this pipeline.

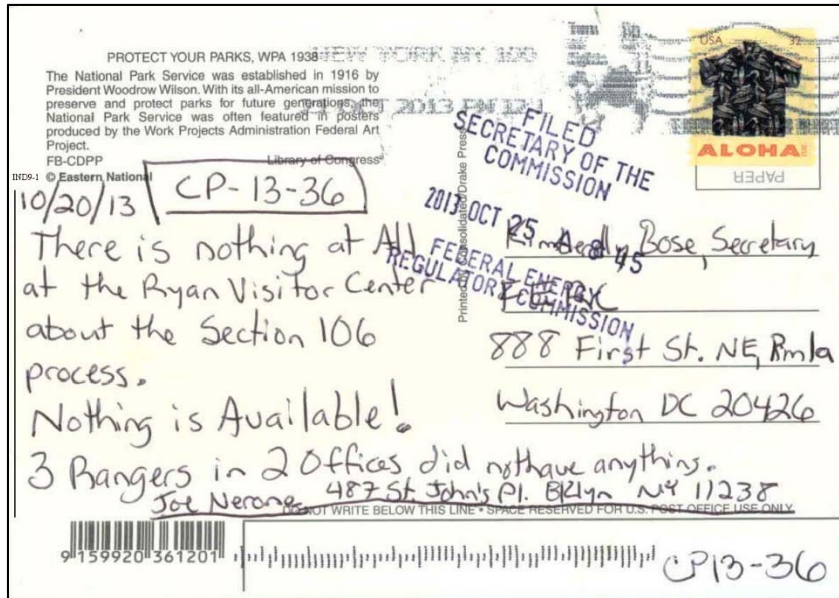
Thanks,

Zach

IND8-1

Your opposition to the Rockaway Project is noted. Also see the responses to comments CM1-33 and CM1-34.

IND9 – Joe Nerone



IND9-1

See the response to comment CM2-69.

IND10 – Diane Buxbaum

IND10-1	<p>This pipeline is not needed. It is dangerous and will cause serious damage to a one of the few remaining natural areas in the New York City area.</p>
IND10-2	<p>The surge to build new pipelines across this country defines our inability to support in every way possible the construction of major renewable energy projects including wind and solar and even tidal, as well as national support of smaller micro renewable projects for homes, commercial and industrial areas. What this country and its industry leaders need to do is invest in renewable and stop promoting fossil fuel projects. Yes, I am aware that gas is probably the least problematic of the fossil fuels, but it does, nonetheless add to the carbon burden in the atmosphere. This project is not needed.</p>
IND10-3	<p>The Jamaica Bay Wildlife Refuge and Gateway National Park are areas that I have used for years for pleasure and observing natural history in action. I have been there numerous times for birding, hiking, watching horseshoe crabs come ashore, mate and lay egg, one of the few remaining area where this ancient creature is still surviving and reproducing. This area is a natural treasure that must not be put in danger by building a pipeline through it. What this area can use is protection, not disturbance.</p>
IND10-4	<p>The construction of this pipeline will encourage additional "fracking" throughout the Northeast with the concomitant release of methane, which, of course, is a potent greenhouse gas, use of toxic (and at present unknown due to the insane protection of the release of this information to the public—this information should not be confidential business information) fracking chemicals, the creation of millions of gallons of fracking wastes, water contamination, toxic waste water disposal issues and more.</p>
	<p>Below is a more complete list or reasons to oppose the construction of this pipeline with which I concur:</p>
IND10-5	<p>1. The Comments Period Must Be Extended Beyond 60 Days At over 300 pages of text, 64 tables, 45 figures and 17 appendices the draft EIS is a dense technical document. The informed layperson, who must read this document evenings and weekends, needs more time to read and digest the information than given. The comment period, less than 60 days, is too short and should be extended to allow for additional public comment.</p>
IND10-6	<p>2. Why Is This Project Divided Into Two Segments?</p>

- | | |
|---------|---|
| IND10-1 | Comment noted. The purpose and need for the Projects are discussed in Section 1.1 of the EIS. |
| IND10-2 | See the response to comment CM1-24. |
| IND10-3 | Comment noted. Also see the responses to comments CM1-33 and CM1-34. |
| IND10-4 | See the response to comment CM1-6. |
| IND10-5 | See the response to comment CM1-1. |
| IND10-6 | See the response to comment CM1-56. |

IND10 – Diane Buxbaum (cont'd)

IND10-6 (cont'd)	<p>The Rockaway Lateral Delivery Project under FERC review has 2 parts: 1) a 3.2-mile pipeline that would be trenched into the ocean floor and run beneath Riis Beach in Queens, and 2) a Metering & Regulating Station to be built in historic hangars at Floyd Bennett Field in Brooklyn. But there is a 1.6-mile gap between those 2 pieces of the project.</p> <p>This summer, National Grid “bridged” that future gap with their Brooklyn-Queens Interconnect (B-QI), Phase I. Because the B-QI has been falsely categorized as a local distribution pipe, National Grid was allowed to construct it under the Rockaway Inlet—through the Special Natural Waterfront Area and Significant Coastal Fish and Wildlife Habitat of Jamaica Bay—without any environmental review.</p>
IND10-7	<p>In 2012 the EPA advised FERC in its review: “A comprehensive evaluation of cumulative, indirect and secondary impacts should be presented. The cumulative impacts analysis should consider the environmental impacts of the National Grid pipeline, without which the Rockaway Delivery Lateral would not be constructed.” And federal case law says a project cannot be segmented so as to avoid review. FERC has ignored the EPA advice and the law. FERC should include a comprehensive evaluation of the cumulative impacts of the entire project—including the National Grid pipeline—in its environmental review.</p>
IND10-8	<p>3. Pipeline Safety</p> <p>“Since 1986, pipeline accidents have killed more than 500 people, injured over 4,000, and cost nearly seven billion dollars in property damages” in the United States alone.” The Rockaway Lateral Pipeline will be vulnerable to leakage during construction, from natural disasters, from terrorism, and from corrosion. Current national inspections of pipelines are inadequate, with only 7% of natural gas lines inspected each year. The Pipeline and Hazardous Materials Safety Administration (PHMSA) is chronically short of inspectors. It has funding for only 137, but had only 110 inspectors on staff in 2010. Transco plans its own in person inspections only once every 7 years.</p> <p>1. Lena Groeger, Pipelines Explained: How Safe are America’s 2.5 Million Miles of Pipelines? Pro Publica November 15, 2012.</p>
IND10-9	<p>4. Fire and Flood Hazards</p> <p>“The transportation of natural gas by pipeline involves some incremental risk to the public due to the potential for an accidental release of natural gas. The greatest hazard is a fire or major pipeline rupture.” (Draft EIS 4.12)</p> <p>In Floyd Bennett Field, the Metering & Regulating Facility’s regulator vault will be placed one foot above the floor of an airplane hangar which is at a 16’ elevation above sea level. This is in a flood zone where water crested at 14’ after Hurricane Sandy. The potential mix of seawater and gas is a dangerous one.</p> <p>When regulator vaults flood, the regulator mechanism’s ability to reduce gas pressure can be significantly impaired. Water can cause the regulator to be stuck in the open position, dramatically increasing the pressure. If gas comes into a home or business at a higher pressure than it’s supposed to, a fire or explosion can result.</p> <p>Williams Transco claims that the likelihood of flooding is not significantly greater now than in the summer of 2012, just before Hurricane Sandy, despite authoritative findings of the Intergovernmental Panel on Climate Change (IPCC) that sea level rise is inevitable and man-made.</p>
IND10-10	<p>5. Impacts on Protected Species</p> <p>The project will have negative impacts on endangered and protected species. The dEIS acknowledges that this project “is likely to adversely affect Atlantic Right Whale and Atlantic</p>

IND10-7 See the response to comment CM1-19.

IND10-8 See the responses to comments CM1-23, CM1-31, and CM1-79.


IND10-9 Comment noted. Also see the responses to comments CM1-8 and CM1-50.

IND10-10 Comment noted.

IND10 – Diane Buxbaum (cont'd)

IND10-10 (cont'd)	<p>Sturgeon,” and that it may also have impacts for the Leatherback Sea Turtle, Kemp’s Ridley Sea Turtle, Green Sea Turtle, Loggerhead Sea Turtle, Roseate Tern, Piping Plover, and Seabeach Amaranth. These impacts result from a variety of factors including pile driving noise, dredging, ocean debris, and the potential for collision with vessels.</p>	
IND10-11	<p>6. Impacts on Marine Wildlife Noise in the immediate area of pile driving for pipeline construction would exceed the injury threshold for fish, and the behavioral disturbance threshold for sea turtles; and would exceed the behavioral disturbance for marine mammals for a distance of 2.86 miles. In fact, Williams Transco has applied to the National Ocean and Atmospheric Administration (NOAA) for authorization for “Intermittent Level B Harassment” of six marine mammal species. Construction of the offshore pipeline also would directly disturb approximately 38 acres of seabed due to dredging and jetting. Benthic species in these areas, such as Surfclams, most likely would perish.</p>	IND10-11 Comment noted.
IND10-12	<p>7. Impacts on Essential Fish Habitat The pipeline will be located in a marine area that supports Essential Fish Habitat for 21 species. In addition to noise impacts discussed above, offshore excavations would create turbidity plumes in the water column that could clog fish gills, obscure visual stimuli, and reduce food intake for some fish. It is estimated that up to 402 acres of seabed could be affected by sedimentation.</p>	IND10-12 Comment noted.
IND10-13	<p>8. Concerns About The Historic Hangars Information on the design of the interiors of the airplane hangars is being considered privileged information and not made available to the public, so we have limited information. We do know that, in certain parts of the hangars, fire retardant materials will not be used, due to the “aesthetics” of preserving of the historic look of the hangars, nor will the sprinkler system be activated.</p>	IND10-13 Comment noted. See the response to comment CM2-27.
IND10-14	<p>In assessing the potential of vibration from construction activities, Transco states that “the simultaneous operation of multiple pieces of equipment or operation of equipment within 5 to 10 feet from the hanger walls could potentially cause damage.” The EIS suggests that a “vibration level threshold” for the hanger be identified and that a Construction Protection (CPP) plan be created and filed with the Federal Office of Energy Projects (OEP). However, the Office of Energy Projects’ enforcement division is focused on national gas market oversight and compliance with tariffs, not construction site safety, and is therefore unlikely to be an effective watchdog. What assurance does the public have that such a plan will be credible? Who will enforce the plan?</p>	IND10-14 Transco’s CPP, also referred to as a Building Protection Plan, is discussed in Sections 4.10.1 and 4.11.3 of the EIS. Assuming the Projects are authorized by the Commission, Transco would be required to comply with the CPP as a condition of the Commission’s Order. Also see the response to comment CM2-19.
IND10-15	<p>9. Dredging Of Toxins The waters off Gateway National Recreation Area are the site of some of the worst dumping along the East Coast. According to an ad hoc committee’s 1970 report, it is part of the largest grossly polluted area in the United States, and contains lead, chromium, copper, gold, selenium, and zinc. These toxins have been buried and kept out of the waters for years, but could be brought up by dredging related to this project, poisoning local fish and ruining commercial fisheries.</p>	IND10-15 See the response to comment CM1-85.
IND10-16	<p>10. Mitigation Procedures Inadequate While “mitigation procedures” such as monitoring protected species are described by Williams Transco, and additional reviews of potential impacts have been recommended by FERC, we have no assurance that these measures will be sufficient to avoid unacceptable environmental harms. Certainly they will not protect us from the “upstream” impacts of fracking and climate change.</p>	IND10-16 See the response to comment CO11-33. Environmental inspectors would be employed to ensure that all prescribed mitigation measures are implemented. Climate change is discussed in Section 4.13.15 of the EIS. Also see the response to comment CM1-6.
IND10-17	<p>11. Do We Need The Gas?</p>	IND10-17 See the response to comment IND2-1.

IND10 – Diane Buxbaum (cont'd)


	4
IND10-17 (cont'd)	Regarding this project, EPA stated: "The EIS should include a full discussion of the purpose and the need of the proposed project, quantifying energy demand and the need for such facilities in the region." This has not been adequately discussed in the EIS.
IND10-18	12. The Project Will Encourage Fracking The substantial cost of construction of this pipeline puts economic pressure on Williams Transco to continue pumping gas through it as long as possible, and the only new sources of gas available are from fracking shale formations. The more pipelines, the more financial incentive to continue the practice of fracking.
IND10-19	13. It Will Exacerbate Climate Change Although "natural gas" burns cleaner than coal or oil, the extraction and transportation of this gas is much more damaging to the atmosphere. Natural gas is methane, which contributes much more to global warming than an equivalent amount of CO2. Any leak in a pipe, or release of gas to mitigate pressure (both of which happen frequently) is very harmful, and the extraction process releases large amounts of methane.
IND10-20	14. Investing Billions In Fossil Fuels Infrastructure Is A Disincentive To Investment In Renewables Wind, water and solar power can be scaled up in cost-effective ways to meet our energy demands, freeing us from dependence on both fossil fuels and nuclear power.
	Thank you for your consideration.
	Sincerely, 
	Diane D. Buxbaum, MPH (For Identification Purposes only: EPA Environmental Scientist, Member of Executive Committees of the NYC Group of the Sierra Club and the Atlantic Chapter of the Sierra Club) 365 Sackett St., Brooklyn, NY 11231

IND10-18 See the response to comment CM1-6.

IND10-19 Emissions of methane (expressed in units of CO₂ equivalent) due to construction and operation of the Projects are discussed in Section 4.11.1 of the EIS. GHG emissions are discussed in Section 4.11.1.4 of the EIS. Air emissions calculations are based on normal operating conditions and include fugitive emissions of methane expressed as CO₂ equivalent.

IND10-20 Comment noted. See the response to comment CM1-24.

IND11 – J. Capozzelli

October 22, 2013	
U.S. Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426	
I am writing because the oil and gas industry is proposing a host of gas pipeline and storage projects in New York.	
I have read that a Rockaway pipeline, to be built by Williams Transco and National Grid, would be embedded in the ocean floor and run under the Riis Park Beach to old abandoned airplane hangars at Floyd Bennet Field.	
IND11-1	Both the Rockaway Pipeline (Williams Transco and National Grid) and the Spectra Pipeline planned for lower Manhattan would bring shale gas produced by fracking to New York City.
IND11-2	I oppose these latest attempts by the oil and gas industry to force itself into places where it is not wanted. Most New Yorkers prefer to invest in sustainable, local economies, instead of locking into a fossil-fuel dependent future.
IND11-3	<p>FERC needs to consider the consequences of the companies that intend to use the pipeline having large holdings in the Marcellus shale region. Gas in the pipeline will be extracted using hydraulic fracturing, which results in more greenhouse gas emissions than traditionally extracted gas. Gas drilling using fracking is a serious threat to drinking water, groundwater, rivers and streams. Fracked gas can also contain carcinogens including radon which is a health risk for users of the gas.</p> <p>Each year the industry fracks more than 25,000 wells nationwide that emit tons of the extremely potent greenhouse gas methane (20 times worse than carbon dioxide), smog-causing volatile organic compounds (VOCs), and known carcinogens like benzene into our air.</p> <p>During fracking millions of litres of water, sand and numerous chemicals most of which are toxic, carcinogenic as well as teratogenic (they include benzene, toluene, ethyl benzene, xylene, ethylene glycol [antifreeze], diesel fuel, naphthalene [moth ball] compounds, boric acid, arsenic, poly nuclear organic hydrocarbons, only to name a few of 600-odd chemicals used), are pumped into boreholes at high pressure to release natural gas (called shale gas) trapped in layers of underground rock.</p> <p>This is an outrageous procedure that is driving us backward instead of forward in terms of clean energy. Fracking increases our reliance on burning natural gas, a major contributor to the climate change. There are no benefits to this oil and gas development technique, and these pipelines promote fracking.</p>
IND11-4	There are alternatives that make this project unnecessary. FERC has not used the most recent data to evaluate such projects and potential alternatives, such as energy conservation and renewable energy.
IND11-5	<p>Across the country, we have already seen fracking contaminate drinking water and turn pristine landscapes into industrial zones. Fracking creates many problems for wildlife besides increased mortality from toxic chemicals: increase of edge habitats, altered microclimates, increased traffic – noise – lighting – well flares.</p> <p>Please don't encourage the expansion of fracking. Please oppose these pipeline and storage projects in New York. Thank you for your consideration.</p>
Yours truly,  J. Capozzelli 315 West 90 th Street New York, NY 10024	

ORIGINAL CR13-36
CR13-132

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SECRETARY OF THE
COMMISSION
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FEDERAL ENERGY
REGULATORY COMMISSION

- IND11-1 Multiple sources of gas would be available to the Projects. A majority of the gas that would be provided to National Grid by the Projects (85 percent by volume) is replacement gas that currently is provided to National Grid via the existing delivery point in Long Beach. Also see the response to comment CM1-6.
- IND11-2 Comment noted. The purpose and need for the Projects are discussed in Section 1.1 of the EIS.
- IND11-3 See the responses to comments CM1-6 and CM1-21.
- IND11-4 The FERC's assessment of energy alternatives in Section 3.2 of the EIS is based on our review of many sources of information and includes descriptions of current and planned projects in the New York City area. Also see the response to comment CM1-67.
- IND11-5 See the response to comment CM1-6.

IND12 – Karen Orlando

Response to FERC notice of Extension of Comment Period and Determination of Effect for the proposed reuse and rehabilitation of the hangar complex on Floyd Bennett Field.
10/28/2013

Ms. Bose and Commission,

IND12-1 | I am asking that ACHP be asked to consult on the Section 106/NEPA review of the proposal to adaptively reuse historic hangars location in historic hangar row at Floyd Bennett Field in Gateway NRA for the purpose of housing this metering and regulating facility for Williams Transco and National Grid as part of the Rockaway Lateral Delivery Project.

"The ACHP oversees 36 C.F.R. Part 800, Protection of Historic Properties. These regulations are similar in several respects. Both regulatory procedures:

Authorize development of agency-specific alternative procedures provided those procedures meet certain standards and approval requirements.

Require agencies to gather information on the potential effects of the proposed action on historic properties and consider alternatives that may avoid or minimize the potential for adverse effects.

Vary depending on the scope of the proposed action and its potential to have environmental effects.

Emphasize the importance of initiating the environmental review process early in project planning.

Emphasize notifying the **public** about the proposed Federal actions and **involving the public in the decision making process.**

Require the process to be completed prior to a Federal decision."

http://www.whitehouse.gov/sites/default/files/nepa_and_nhpa_handbook.pdf

IND12-2 | NPS has been saying publically that they have not already made a Federal decision about this proposed use while it has been offered into the FERC that there is evidence in even Congressional testimony and reports that an agreement had already been reached between

IND12-1 The Section 106 review process for the Projects is discussed in Section 4.10.1 of the EIS.

IND12-2 See the responses to comments CM1-44 and CM1-34.

IND12 – Karen Orlando (cont'd)

IND12-2
(cont'd)

the DOI and these companies. In other words, there is conflicting information on even where NPS factually is at in their decision-making process.

“Compliance procedures for NEPA and Section 106 vary depending on the potential of the proposed action to cause environmental effects. Federal agencies determine the type of NEPA review they will undertake for a proposed action based on the context and intensity of its impacts. **Context is defined as the geographic and social context in which the effect will occur**, while intensity refers to the severity of the impact.” (page 11, NEPA and NHPA)

http://www.whitehouse.gov/sites/default/files/nepa_and_nhpa_handbook.pdf

For this project the context is Gateway National Recreation Area, Floyd Bennett Field and the area in specific in this park referred to either as Gateway Village or Historic Hangar Row.

IND12-3

FERC has heard from interveners, and commenters that this use, which is defined by Williams Transco in their PF09-08 documents as developed, industrial and outside of the park's purpose, and in the air quality data section of the draft EIS (4.11.1.2 “According to the PSD applicability criteria for industrial sources...”) is also defined as industrial is not compatible with this park's purpose nor with its location, current uses and the zoning of this location in the park as described in both the prior GMP and the one being developed for which there is currently a draft EIS. The FERC heard about these objections from as early as the public scoping period in June 2012 and very specifically in intervening documents. Data in appendix 4G from the Denver Quality Assurance Center of NPS support the definition of the new use as industrial and hazardous and that the use should be weighed in consideration with current uses and the GMP, which is the management plan document that supposedly guides decisions about the park.

IND12-3

See the response to comment CM1-34.

IND12 – Karen Orlando (cont'd)

IND12-3
(cont'd)

FERC has heard from the public as early as the prefile scoping period at the meeting at aviator that this type of use was specifically not supposed to be brought into this park. In fact, a Blue Panel Ribbon report referred to earlier by the RPA actually suggests that a moratorium on inappropriate uses be established at the park and specifically Floyd Bennett Field. Refer to: <http://www.rpa.org/floydbennett/> FERC has heard from the public and from Ms. Ida Sanoff that no such use was ever suggested during public meetings as part of that process. I would like to remind FERC that some of the earliest documents entered during pre-file scoping period to FERC were from park users who had started petitions against HR2606 and this use.

I am submitting an EA produced by the National Park Service to the FERC on an adaptive reuse plan for lodges in Lake Mead as evidence that NPS must consider a great number of laws and management policies in their decisions about use and there is no evidence as already explained to the FERC that in this case management at NPS has been doing this thus far in relation to these historic hangars proposed use as a city-gate metering and regulating station. FERC has already heard from park users, commenter's and interveners about the fear that this will set precedence for future inappropriate uses in this park and that this decision could affect decisions at other NPS park units. While HR2606 is specific to Gateway NRA, according to management policies, managers must consider how their actions reflect on the park service as a whole. From pre-file to the time period dated Sept 2010 when NPS began considering this use and keeping it from the public during two public outreach periods on this park, both their own General Management Plan outreach and a Floyd Bennett Field planning process outside of NPS, straight until the current date, there have been three different acting Superintendents of Gateway NRA. The first of these Barry Sullivan stated that this metering and regulating station did not belong in the park. As told to FERC many times there has been no public engagement or outreach on NPS part at any time.

IND12 – Karen Orlando (cont'd)

From the previously mentioned EA, page 27:

"The impact threshold at which impairment occurs is not always readily apparent.

Therefore, the NPS will apply a standard that offers greater assurance that impairment will not occur. NPS Management Policies (2006) requires that park managers evaluate existing or proposed uses and determine whether the associated impacts on park resources and values are acceptable. Unacceptable impacts are impacts that fall short of impairment, but are still not acceptable within a particular park's environment.

Virtually every form of human activity that takes place within a park has some degree of effect on park resources or values, but that does not mean the impact is unacceptable or that a particular use must be disallowed. For the purposes of this analysis, an unacceptable impact is an impact that individually or cumulatively would

- **be inconsistent with a park's purposes or values**
- **impede the attainment of a park's desired future conditions for natural and cultural resources as identified through the park's planning process**
- create an **unsafe** or unhealthful environment for visitors or employees
- **diminish opportunities** for current or future generations to **enjoy, learn about, or be inspired by park resources or values**
- unreasonably interfere with
 - o park **programs or activities**
 - o an appropriate use
 - o the **atmosphere of peace and tranquility**, or the natural **soundscape** maintained in wilderness and natural, **historic, or commemorative locations within the park**
 - o NPS concessioner or contractor operations or services"

IND12-4 Williams has already been asked to provide pictures that reflect the location, number and size of warning signs that will be necessary on the historic hangars in the park. They have not done so.

IND12-4

See the response to comment CM2-69.

IND12 – Karen Orlando (cont’d)

Thanks,

Karen Orlando


I am certifying that all parties on FERC's list for CP13-36 have been served this document

IND12 – Karen Orlando (cont'd)

The attachments to this letter are too voluminous to include in this EIS. They are available for viewing on the FERC website at <http://www.ferc.gov>. Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket No." excluding the last three digits (i.e., CP13-36, CP13-132, PF09-8), and follow the instructions. For assistance please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, contact 202-502-8659. The Category/Accession number for this submittal is 20131028-5147.

IND13 – Catherine Skopic

Rockaway Pipeline Hearing - FERC - Tuesday, October 22, 2013 Knights of Columbus Rockaway Council 2672 - 7:00pm 333 Beach 90th Street, Rockaway Beach, N.Y. 11693

- IND13-1 Good evening, and thank you for this opportunity to give testimony regarding the Rockaway Pipeline. It is such an important issue, I ask that you extend the public comment period to give all stakeholders adequate time to respond.
- My name is Catherine Skopic. I'm an Artist, Art Teacher and Environmentalist. I have a water color painting in the International Archive of the National Museum of Women in the Arts. I taught Art in the Mineola School District over 30 yrs. at all levels & for 8 yrs. undergraduate and graduate students at Long Island University, C.W.Post Campus.
- An artist working with the creative process is subjective - it's like open-ended problem solving. As an Art Educator, one is also involved with subjectivity, along with some objectivity. However, as an environmentalist, in addition to the subjective appreciation of the beauty of creation, one is working with objectivity. Science contributes research, facts, data, measurable results. I have been studying scientific earth research as a representative to the United Nations, citizen and parent and will make 3 specific points.
- IND13-2 1. Some of the most startling facts regarding the issue of the Rockaway Pipeline are those relating to **safety**. Since 1986, pipeline accidents have killed more than 500 people, injured over 4,000 and have caused nearly \$7 billion in property damage in the United States. Is having this pipeline worth this kind of risk?
- IND13-3 2. **Renewable energy** sources have the potential to supply all the energy we need. We don't need gas. Mark Jacobson, of Stanford University along with Robert Howarth and Anthony Ingraffea of Cornell University have created a plan for New York State to be renewable by 2030. I'm including an overview of this plan for you. It is a viable road map to renewable energy that will not harm the planet, as do fossil fuels and methane that
- IND13-4 cause extreme weather, super storms, droughts, floods, melting of glaciers, rising sea levels, ocean acidification, dying of coral reefs. It's a proven fact that although it burns clean, from extraction to delivery, gas is more greenhouse gas producing than is coal.
3. I paddled my kayak down the Hudson River this summer with about two hundred native and non- native people in celebration of the 400th Anniversary of the Two Row Wampum - the treaty between the Haudenosaunee Nations and the Dutch. This treaty recognizes our friendship and the responsibility we have to **care for Mother Earth**.
- IND13-5 Indigenous Peoples, live in harmony with earth. When a decision has to be made, they do not think of themselves - they think of the 7th generation. How will this decision affect them? If we could zoom forward now to the 7th generation and see the faces of those children, what would we tell them? Would we tell them that no matter what side of the issue we were on, we came together, that we decided the time of greed and exploitation was over? We decided to act for them and for the protection of Mother Earth. Is this what we would tell them? Will you help us all and make this decision today?
- Thank you. Respectfully and in PEACE,  Catherine Skopic

IND13-1 See the response to comment CM1-1.

IND13-2 See the responses to comments CM1-23, CM1-31, and CM1-53.

IND13-3 See the response to comment CM1-67.

IND13-4 See the response to comment CM1-68.

IND13-5 Comment noted.

IND13 – Catherine Skopic (cont'd)

<http://woods.stanford.edu/news-events/news/alternative-energy-future-new-york>

An Alternative Energy Future for New York

March 12, 2013

Study outlines a path to statewide renewable energy conversion, and away from natural gas and imported fuel.

By Rob Jordan

New York Gov. Andrew Cuomo will soon decide whether to approve hydraulic fracturing for natural gas in the state. To date, no alternative to expanded gas drilling has been proposed.

But a new study finds that it is technically and economically feasible to convert New York's all-purpose energy infrastructure to one powered by wind, water and sunlight (WWS). The plan, scheduled for publication in the journal *Energy Policy*, shows the way to a sustainable, inexpensive and reliable energy supply that creates local jobs and saves the state billions of dollars in pollution-related costs.

Mark Z. Jacobson, a senior fellow with the Stanford Woods Institute for the Environment and the Precourt Institute for Energy, co-authored the study with scientists from Cornell University and the University of California-Davis.

"Converting to wind, water and sunlight is feasible, will stabilize costs of energy and will produce jobs while reducing health and climate damage," said Jacobson, a professor of civil and environmental engineering.

The study is the first to develop a plan to fulfill all of a state's transportation, electric power, industry, and heating and cooling energy needs with renewable energy, and to calculate the number of new devices and jobs created, amount of land and ocean areas required, and policies needed for such an infrastructure change. It also provides new calculations of air pollution mortality and morbidity impacts and costs based on multiple years of air quality data.

The study concludes that while a WWS conversion may result in initial capital cost increases, such as the cost of building renewable energy power plants, these costs would be more than made up for over time by the elimination of fuel costs. The overall switch would reduce New York's end-use power demand by about 37 percent and stabilize energy prices, since fuel costs would be zero, according to the study. It would also create a net gain in manufacturing, installation and technology jobs because nearly all the state's energy would be produced within the state.

According to the researchers' calculations, New York's 2030 power demand for all sectors (electricity, transportation, heating/cooling, industry) could be met by:

IND13 – Catherine Skopic (cont'd)

- 4,020 onshore 5-megawatt wind turbines
- 12,770 offshore 5-megawatt wind turbines
- 387 100-megawatt concentrated solar plants
- 828 50-megawatt photovoltaic power plants
- 5 million 5-kilowatt residential rooftop photovoltaic systems
- 500,000 100-kilowatt commercial/government rooftop photovoltaic systems
- 36 100-megawatt geothermal plants
- 1,910 0.75-megawatt wave devices
- 2,600 1-megawatt tidal turbines
- 7 1,300-megawatt hydroelectric power plants, of which most exist

According to the study, if New York switched to WWS, air pollution-related deaths would decline by about 4,000 annually and the state would save about \$33 billion – 3 percent of the state's gross domestic product – in related health costs every year. That savings alone would pay for the new power infrastructure needed within about 17 years, or about 10 years if annual electricity sales are accounted for. The study also estimates that resultant emissions decreases would reduce 2050 U.S. climate change costs – such as coastal erosion and extreme weather damage – by about \$3.2 billion per year.

Currently, almost all of New York's energy comes from imported oil, coal and gas. Under the plan that Jacobson and his fellow researchers advance, 40 percent of the state's energy would come from local wind power, 38 percent from local solar and the remainder from a combination of hydroelectric, geothermal, tidal and wave energy.

All vehicles would run on battery-electric power and/or hydrogen fuel cells. Electricity-powered air- and ground-source heat pumps, geothermal heat pumps, heat exchangers and backup electric resistance heaters would replace natural gas and oil for home heating and air-conditioning. Air- and ground-source heat pump water heaters powered by electricity and solar hot water preheaters would provide hot water for homes. High temperatures for industrial processes would be obtained with electricity and hydrogen combustion.

"We must be ambitious if we want to promote energy independence and curb global warming," said study co-author Robert Howarth, a Cornell University professor of ecology and environmental biology. "The economics of this plan make sense," said Anthony Ingraffea, a Cornell engineering professor and a co-author of the study. "Now it is up to the political sphere."

To ensure grid reliability, the plan outlines several methods to match renewable energy supply with demand and to smooth out the variability of WWS resources. These include a grid management system to shift times of demand to better match with timing of power supply, and "over-sizing" peak generation capacity to minimize times when available power is less than demand.

The study's authors are developing similar plans for other states, including California and Washington. They took no funding from any interest group, company or government agency for this study.

IND14 – Suzy Winkler

Suzy Winkler
174 Pickens Road
Burlington, NY

IND14-1 *I oppose the Rockaway Pipeline knowing that the gas that will move through this pipe will be extracted from the shale under the properties of families in Pennsylvania who are already suffering the consequences of living in an industrial zone. While some of those families may have excepted the terms of shale gas extraction leases knowing of the risks and willing to gamble with the odds, many lease holders were lied to and fooled into thinking that the extraction and transportation delivery systems would be safe and that living above them would afford them great wealth, free if not inexpensive gas, energy independence for the US and insignificant changes to their way of life. But, many residents and property owners now living in these simmering communities were given no such option, they are merely the neighbors of those who made the decision for them. They are the unfortunate, who live downstream of the well pads, water treatment facilities and dumping grounds and or downwind of the silica sand facilities, pipelines and compressor stations. These neighbors reap no financial gain, just ill affects to their health and loss of property value. They have become collateral damage just like folks have all across the globe.*

I've spent 4 years learning and now worrying that the same misfortunes will fall on New York. I live in Burlington, 5 hours north west of here. My 175 acres and home of 22 years sit on top of both the Marcellus and Utica Shales'. My neighbors have signed onto leases thinking they would save their farms from foreclosure or they'd become "shaleionaires" and leave our town for greener pastures before the traffic became excessive, their water went bad or their grandchild developed asthma.

IND14-3 *We NYer's living on the shale will be abused by the corporate world still farther, when the industry takes our gas through the loophole of "Compulsory Integration". The fossil fuels that lay beneath our homes and farms will be extracted right out from under us. NYer's will have no*

IND14-1 Your opposition to the Rockaway Project is noted. Also see the response to comment CM1-6.

IND14-2 Comment noted. Also see the response to comment CM-71.

IND14-3 Comment noted.

IND14 – Suzy Winkler (cont’d)

IND14-3
(cont'd)

way to say no, only 3 ways to say yes. A system that turns neighbor against neighbors and family members against each other.

IND14-4

*The citizens of NY know that **this** pipeline proposal equals shale gas extraction and that it's only the beginning of a massive infrastructure build out that will consume our state. I believe it is disingenuous for the industry to promote "natural gas as a greener energy and a bridge fuel" and that it's unethical of FERC to continue on this path, knowing that the fossil fuel extraction infrastructure will block the advancement of sustainable energy development and our climate crisis.*

IND14-5

I know that most everything said here, FERC already knows, still you accept nearly every application put in front of you. I hope that the testimony given tonight is not an exercise in futility. That the repetition of our comments and our commitment to BAN FRACKING will sink into the hearts and minds of this panel that we are not going away.

IND14-6

I hope that the conscience of the FERC board will begin to over-ride this process, which from the outset, is slanted against the public it is so cynically and superficially intended to support.

<http://concernedhealthny.org/statement-on-preliminary-findings-from-the-southwest-pennsylvania-environmental-health-project-study/>

IND14-4

See the response to comment CM1-74.

IND14-5

Your opposition to the Rockaway Project is noted.

IND14-6

Comment noted. See the response to comment CM1-1.

IND14 – Suzy Winkler (cont'd)



 August 27, 2013  Press Releases

by Larysa Dyrszka, MD; Kathleen Nolan, MD, MSL; and Sandra Steingraber, PhD

Early results from an on-the-ground, public health assesment in Washington County, Pennsylvania, indicate that environmental contamination is occurring near natural gas drilling sites and is the likely cause of associated illnesses. We are alarmed by these preliminary findings. They show that—after only six years of drilling—human exposure is occurring and people are getting sick. The presence of any sick people gives lie to industry claims that high volume hydraulic fracturing (fracking) is “safe.”

Focusing on the early low numbers from this ongoing study, however—as does a recent Associated Press story—is misleading. The 27 cases documented by the Southwest Pennsylvania Environmental Health Project team are not a surveyed sample of the region's population, nor were they recruited to be part of a study. They are patients from a single rural clinic who came in seeking help. As such, these early figures could easily be the leading edge of a rising wave of human injury.

Furthermore, these 27 people represent only those suffering acute problems. Chronic illnesses can take years to manifest. Mesothelioma from asbestos, thyroid cancer from radiation, mental retardation from lead poisoning; birth defects from the rubella virus: all these now-proven connections began with a handful of case studies that, looking back, were just the tip of an iceberg. We know that many of the chemicals released during drilling and fracking operations—including benzene—are likewise slow to exert their toxic effects. Detection of illness can lag by years or decades, as did the appearance of illnesses in construction workers and first responders from exposure to pollution in the 9/11 World Trade Center response and clean-up.

The early results from the Southwest Pennsylvania Environmental Health Project study implicate air contamination as the likely cause of three-quarters of the associated illnesses so documented. In some cases, starkly elevated levels of fracking-related air

IND14 – Suzy Winkler (cont'd)

pollutants were found in the air inside of people's homes. This is an unacceptable problem: breathing is mandatory and, while a drinking water source might be replaced, air cannot.

A minority of cases suffered from likely exposures to tainted water, but these low numbers are not reassuring. Many exposures related to natural gas extraction increase over time. First come airborne exposures, as seen in Washington County and around the country where drilling and fracking is taking place. In a small percentage of communities near drilling operations, water contamination also takes place immediately due to failure of the well casings. But, more often, water contamination is a delayed response. Well casings continue to fail as they age—up to 60 percent over 30 years—and, as they do, we expect health effects from waterborne contaminants to rise and spread to more communities.

Thus, each well is potentially the center of an expanding circle of illness. At first there are only a few cases, but the ultimate result may be widespread contamination.

In the AP story, the gas industry argues that lives are saved by cleaner burning natural gas. Even if there is any truth in that claim, saving U.S. lives from emissions from shamefully antiquated coal plants should not require sacrificing unconsenting children and families to contaminated air and water from fracked wells and the transportation of gas. Creating new health hazards to replace the old is unethical when clean, safe, renewable forms of energy exist.

Given that exposures and illness increase over time and given that many instances of contamination and illness related to fracking never come to light due to non-disclosure agreements with the industry, we cannot accurately quantify the extent of our problems with gas drilling. We do know they are here, and we have every reason to expect that they are not yet fully visible and they are growing.

COLLATERAL DAMAGE by Tara Meixsell

Collateral Damage: A Chronicle of Lives Devastated by Gas and Oil Development and the Valiant Grassroots Fight to Effect Political and Legislative Change Over the Impacts of the Gas and Oil Industry in the United States, by Tara Meixsell, examines the effectiveness with which our legislators and public officials protect us from the health and environmental impacts of fossil-fuel development. The 350-page book chronicles the experiences of the residents of Garfield County, Colorado, who live at the epicenter of gas and oil development. Few people, even within the environmental community, are aware of the extraordinary devastation that has occurred in Western Colorado -- and indeed, in communities throughout the United States -- particularly over the last decade, thanks to the post 9-11 energy frenzy. Gas wells are drilled 150 feet from homes, while toxic and undisclosed chemicals pollute the air and water. Citizens sickened -- sometimes permanently -- by the practice of "off gassing" from the open pits and wells are literally knocked to the ground, overcome by fumes. Domestic water wells erupt and are fouled, and the industry credo is to deny any wrongdoing. The current world situation has set the stage for lax to non-existent regulation of the domestic gas and oil industry, sanctioned by former President George W. Bush's energy friendly administration which allowed industry-biased regulations and accelerated development. As a result, the American West has become open range, and those living near gas and oil development are collateral damage.

<http://pennsylvaniaallianceforcleanwaterandair.wordpress.com/the-list/>

List of the Harmed recorded since 2012, by Jenny Lisak has compiled an unofficial list of US fracking complaints. Which as of Has reached 1,752 entries.

IND15 – Kristen Boyer

20131104-0013 FERC PDF (Unofficial) 11/04/2013

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.

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For Official Filing (send 2 copies): Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426	Another Copy (send 1 copy): Gas Branch 3, PJ-11.3 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426
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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND15-1 Please respect our land and waterways to protect our
water, health and children.

2013 NOV -4 A 11:24
FEDERAL ENERGY
REGULATORY COMMISSION
SECRETARY OF THE
COMMISSION
FILED

Commentor's Name and Mailing Address (Please print legibly)

Kristen Boyer
205 Linden Street #4
Brooklyn NY 11224

¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "Register." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.

IND15-1

Comment noted.

IND16 – David F. Firestreets

20131104-0012 FERC PDF (Unofficial) 11/04/2013

FEDERAL ENERGY REGULATORY COMMISSION ORIGINAL

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
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COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

IND16-1 *I oppose this project for several reasons. I oppose the use of public space for commercial projects. Also the laying of the pipe line during summer summer months, the potentially hazardous materials in the proximity to residential areas, and the use of historic buildings for commercial infrastructure sites. Please consider weathering in clean renewable energy instead.*

IND16-2

Commentor's Name and Mailing Address (Please print legibly)

David F. Firestreets
253 Peckayle Ave Apt 5D
Brooklyn, NY 11226

FILED
 SECRETARY OF THE
 COMMISSION
 NOV 11 2013
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IND16-1

Your opposition to the Rockaway Project is noted. Impacts on land uses are discussed in Section 4.8 of the EIS. Pipeline safety is discussed in Section 4.12 of the EIS. Renewable energy alternatives are evaluated in Section 3.2.2 of the EIS.

IND16-2

Comment noted. As described in Section 1.2.1 of the EIS, the FERC is responsible for evaluating applications it receives from project sponsors seeking authorization to construct and operate interstate natural gas facilities. The FERC does not regulate proposals for renewable energy projects.

IND17 – Joseph N. Nerone

20131104-0014 FERC PDF (Unofficial) 11/04/2013

ORIGINAL

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ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
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---	---

COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND17-1 To build a Natural gas Metering and Regulating facility
in the National Register Historic Heritage area at Floyd
Bennett Field, a National Recreation Area, is wrong and
sends a bad message to the public about how we
care for our nations treasures. Please do not build
this industrial facility in our Park!

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2013 NOV -4 A 11:29
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Commentor's Name and Mailing Address *(Please print legibly)*

Joseph N. Nerone
487 St John's Pl. Apt 1d
BKlyn NY 11238

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IND17-1

Your opposition to the use of the hangars for the M&R facility is noted.
See the response to comment CM1-34.

IND18 – Will McEvoy

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
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Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

Another Copy (send 1 copy):

Gas Branch 3, PJ-11.3
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND18-1

Our beaches and shore communities in the greater NYC
have been destroyed and further threatened to great
extent in the past few years. The last thing the
people of NYC need is a contentious program that
will further complicate and restrict the coast for
recreational or professional means. Certainly other
forums could lead to alternative ideas that would
enhance and revitalize our shore communities as
well as enhance the access and use by NYC at large.

Commentor's Name and Mailing Address (Please print legibly)

Will McEvoy
219 E 9th Street
Brooklyn NY 11218

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IND18-1

Alternatives to the proposed Rockaway Project are discussed in Section 3.0 of the EIS. Also see the responses to comments CM1-33 and CM1-34.

IND19 – Sarah Canfield

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND19-1 This project presents a danger to people who want to

IND19-2 use the beach for swimming and recreation. The Historic Hager

Pen should be protected for "natural and recreational features"

IND19-3 for present and future generations

As someone who frequents Jac at Pine Beach and

Floyd Bennett Field for seuba diving, I am very concerned

about my health and the health of others.

Commentor's Name and Mailing Address (Please print legibly)

Sarah Canfield

635 Girard Ave, Apt #3

Brooklyn, NY 11238

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2013 NOV -5 A 10:06
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IND19-1

See the responses to comments CM1-33 and CM1-53.

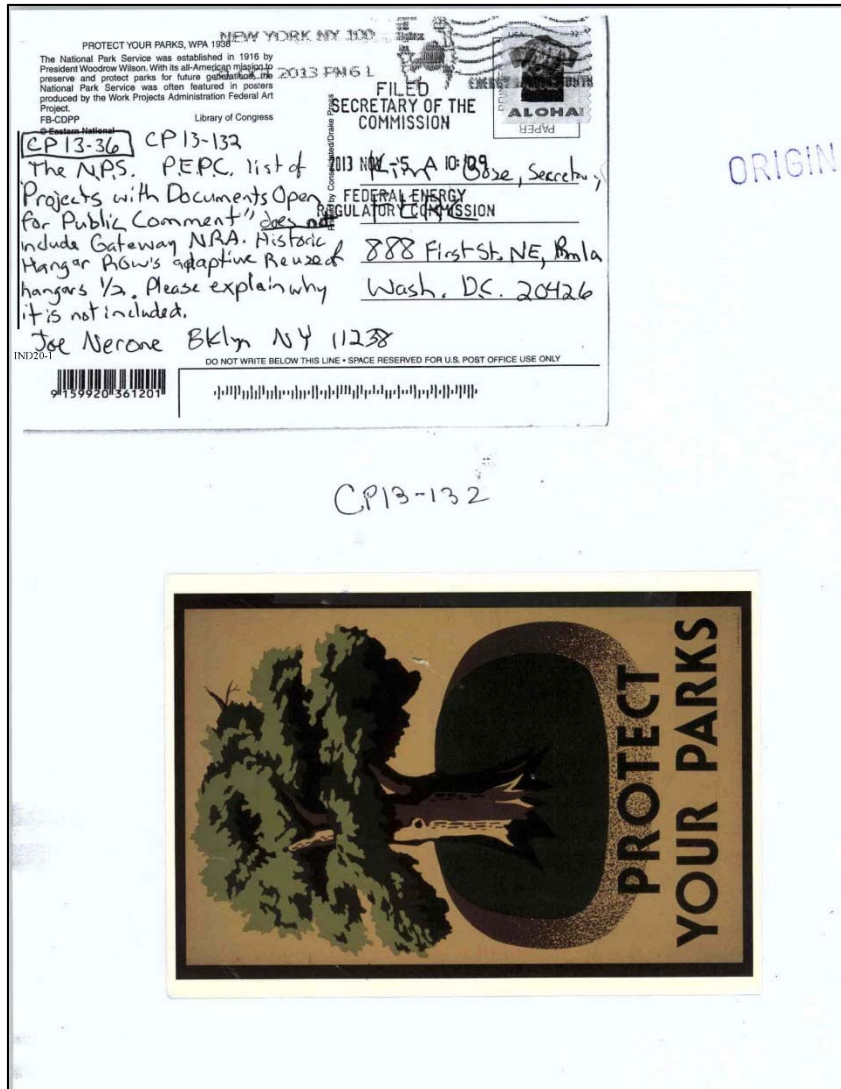
IND19-2

Comment noted.

IND19-3

Comment noted. Impacts on land uses are discussed in Section 4.8 of the EIS. Impacts on water quality are discussed in Section 4.3 of the EIS.

IND20 – Joseph N. Nerone



IND20-1

The FERC has no control over content posted to the NPS website.

IND21 – Karen Orlando

Scope of 106 Review must include appropriateness of the proposed use of Historic Hangars

Ms. Bose,

IND21-1 | It has not been made clear to members of the public what the full scope of the section 106/NEPA process includes. As FERC has been designated the lead for this review, I would like to point out that as stated by the National Park Service at the Senate National Parks Subcommittee Hearing on HR2606, this review is to include the “appropriateness” of adapting these Historic Hangars in the park for the purpose of housing a metering and regulating facility for Williams and National Grid.

“Ms. TOOTHMAN. I think we would address that, again, through the NEPA process, preferred option and we would look at the most environmentally—one that we felt was not an adverse impact and which would be selected under the NEPA process. So I am not sure that it needs to be in your legislation, I think, would be the best response I can give you.

I have seen the 2 hangars that are proposed to house the monitoring-metering facility, and they are 2 hangars that we have not found an appropriate use for. It would be a major boost for the park to have a **compatible, acceptable** reuse of those facilities as part of this project. So that is one reason why we would also be **looking at it through Section 106 in terms of whether this is an appropriate adaptive reuse.**” (S. Hearing 112-401. Document in attachment)

From Appendix 4G, the Denver Quality Assurance Center and NPS employees the following questions were raised and should be included/answered or weighed in the scope of 106 review along with the public’s comments that FERC has received.

IND21-1

The Section 106 process for the Projects is discussed in Section 4.10 of the EIS. Comments from stakeholders on impacts to historic properties will be taken into account by the FERC and by the NPS in its Determination of Effect for reuse and rehabilitation of the hangars. See the responses to comments CM1-12 and CM1-34.

IND21 – Karen Orlando (cont'd)

IND21-2

"Overall site use - how does this site function with others in this area? Is there a **zoning** or development plan for the area?" (p.67 Appendix 4G)

"But as stated in SD Report, the new use is not only "contemporary" but the hangers are expected to perform a "technical and sophisticated service within the confines of the historic structure." **They will not see traditional reuse functions, which is uncharacteristic of NPS historic sites.** By contrast, they are not intended for visitation to aid interpretation and resource appreciation and to enhance the visitation experience. **Some would contend that the new use is incompatible with preservation interests and DOI cultural resource management policy (NPS 28) because of detrimental risks and changes created by the new use.** Their **value has been reduced** to their exterior appearance surrounded by tarmac and their intact massing, which retains the historic array of paired hangers bracketing the terminal building. Retention of accompanying support structures/site features, part of the municipal and military air field period of significance, are also significant to the properties historical integrity. In **reality the hangers convert to industrial use.** They become a fence to shield views of the new use and an enclosure to protect the new functions. **The rehabilitation has nothing to do with aviation, or human/daily usage by staff or the public for the next century.**" P. 70 Appendix 4G

"I understand the legislation and desire to located this facility in this historic building, but **will this be an adverse impact to this historic facility** (as noted in my comments)? Would a better solution be to require the gas company to build a new building at the northeast corner of FBF and also require them to restore and maintain this historic building? The NE corner site would be a much **more secure and isolated location.**" P96 Appendix 4G

"The NPS team needs a clear understanding of the "worst case scenario" to understand what could happen to this and surrounding historic buildings and **how the surrounding spaces can and should be used**." P. 97 (Appendix 4G)

IND21-2

Comment noted.

IND21 – Karen Orlando (cont'd)

IND21-2

"These are marked "CONFIDENTIAL". Are these classified sheets that need to be specially cataloged and stored in a security container? A more appropriate marking may be :FOR OFFICIAL USE ONLY rather than CONFIDENTIAL." P. 98 Appendix 4G

"NEPA/Section 106 Compliance Comments:

An environmental screening form for the project (PEPC #39460) hasn't been completed.

What agency/public scoping was or is being done for the project?

What is the NEPA pathway?

What is the timeline for completion of NEPA?

What is the status of Section 106 consultations? Has the SD been provided to the SHPO for review?

What is the Section 106 pathway?

Is an archeological survey needed or was one done?

If the Section 106 pathway is adverse effect, is negotiation of a MOA underway?

What is the timeline for completion of Section 106 consultations?" p.106 Appendix 4G

IND21-3

The accompanying document being submitted has already been submitted into FERC previously. At the time this document was submitted it was brought to the attention of the FERC, which is the lead agency for the NEPA review process for this project that in written question and answers provided by the National Park Service to the Senate in this document, the National Park Service more than a year ago seems to have already made a call on impact from this adaptive reuse. This was improper.

Thanks,

Karen Orlando (I am certifying all on service list received this document)

IND21-3

See the response to comment CM1-12.

IND21 – Karen Orlando (cont'd)

The attachments to this letter are too voluminous to include in this EIS. They are available for viewing on the FERC website at <http://www.ferc.gov>. Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket No." excluding the last three digits (i.e., CP13-36, CP13-132, PF09-8), and follow the instructions. For assistance please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, contact 202-502-8659. The Category/Accession number for this submittal is 20131107-5115.

IND22 – Dominick Gibino

20131112-5000(28919167).txt

Dominick Gibino, MANASSAS, VA.
Although I live in Virginia, my holiday visits to NYC and the Rockaways prompted me to comment on the Rockaway Project.

IND22-1 I have amassed my engineering insight over 40 years of experience which I summarize later in this comment. It is from that foundation of experience that I ask you to carefully assess the risks associated with the Rockaway Pipeline. My personal conclusion is that the risks to the people are great, and the benefits to the people are negligible.

Storms larger than Hurricane Sandy are not simply possible—they are probable. Even as I write this, a larger storm, Typhoon Haiyan, is ravaging the Pacific and the Philippines. Constructing the M&R facility only a few feet higher than the 14-foot surge experience during Sandy is—in my opinion—shortsighted and an unacceptable risk.

I speak from the vantage point of a retired engineer who has overseen the design and construction of high-pressure (2000 psi) equipment; who has participated in various risk assessment and evaluation activities; who understands the mathematics of probabilities and statistics and expected values and outcomes; who—years ago—read with interest the engineering assessments that said the probability of a nuclear accident at the Three Mile Island facility was negligible.

I am in agreement with the Draft Environmental Impact Statement (dEIS) Section 4.1.4.2 (on Hurricanes), which states:
"An analysis by the New York State Emergency Management Office (2005) found that the entire Rockaway Peninsula and much of the Brooklyn-Queens area could be flooded due to Category 3, 4 or 5 hurricanes depending on the direction of prevailing winds at landfall, distance from the eye of the storm, eye wall intensity, and tide level, but the risk of flooding during a major hurricane event is difficult to predict. The Intergovernmental Panel on Climate Change considers it likely that hurricanes will become more intense as a result of climate change and sea level rise, but the total number of storms could decline (Pachauri and Renninger, 2007)."

Completing the Rockaway Pipeline as proposed will put the people of the Rockaways into clear and immediate danger, in my opinion. Transco is rightly basing their analysis on what is known, not on what is not known. It's one thing for Transco to design engineering structures to accommodate a 1% chance of flooding, based on FEMA's 100-year floodplain. It is quite another thing to make a judgment about the future safety to the people of the proposed design. This latter judgment is yours, and is the more difficult one.

Transco designs on past data, not future data. To mitigate risk to acceptable levels, the Transco design should be based on the probability of a 20+ foot storm surge in the future (Sandy reached 14 feet). Your judgment, however, is not constrained to the past. I ask you to consider all of the "known unknowns", including the possibility that the existing 100-year floodplain data is obsolete, and that the clear implications of Hurricane Sandy, Typhoon Haiyan and other recent weather events constitute new trends and data. Because the data constituting safe design is changing so quickly, my opinion is that the level of risk associated with the Rockaway Pipeline is unacceptable.

Page 1

IND22-1

Comment noted. As discussed in Section 4.12 of the EIS, the pipeline and aboveground facilities associated with the Projects would be designed, constructed, operated, and maintained in accordance with or to exceed the DOT's Minimum Federal Safety Standards in 49 CFR Part 192. These regulations, which are intended to protect the public and to prevent natural gas facility accidents and failures, include specifications for material selection and qualification; minimum design requirements; and protection of pipelines from internal, external, and atmospheric corrosion. Also see the responses to comments CM1-8 and CM1-50.

IND23 – P. Baker

20131112-5007(28919193).txt

P. Baker, NY, NY.
Thank you for considering the following:
888 First Street NE, Room 1A

Some talking points:

IND23-1 1. This Project Should Not Be Segmented To Avoid Review

The Rockaway Lateral Delivery Project under FERC review has 2 parts: 1) a 3.2-mile pipeline that would be trenched into the ocean floor and run beneath Riis Beach in Queens, and 2) a Metering & Regulating Facility to be built in historic hangars at Floyd Bennett Field in Brooklyn. But there is a 1.6-mile gap between those 2 pieces of the project.

This summer, National Grid "bridged" that future gap with their Brooklyn-Queens Interconnect (B-QI), Phase 1. Because the B-QI has been falsely categorized as a local distribution pipe, National Grid was allowed to construct it under the Rockaway Inlet-through the Special Natural Waterfront Area and Significant Coastal Fish and Wildlife Habitat of Jamaica Bay-without any environmental review.

In 2012 the EPA advised FERC in its review: "A comprehensive evaluation of cumulative, indirect and secondary impacts should be presented. The cumulative impacts analysis should consider the environmental impacts of the National Grid pipeline, without which the Rockaway Delivery Lateral would not be constructed." And federal case law says a project cannot be segmented so as to avoid review. FERC has ignored the EPA advice and the law. FERC should include a comprehensive evaluation of the cumulative impacts of the entire project-including the National Grid pipeline-in its environmental review.

IND23-2 2. Pipeline Safety

"Since 1986, pipeline accidents have killed more than 500 people, injured over 4,000, and cost nearly seven billion dollars in property damages [1] in the United States alone.

The Rockaway Lateral Pipeline will be vulnerable to leakage during construction, from natural disasters, from terrorism, and from corrosion. Current national inspections of pipelines are inadequate, with only 7% of natural gas lines inspected each year. The Pipeline and Hazardous Materials Safety Administration (PHMSA) is chronically short of inspectors. It has funding for only 137, but had only 110 inspectors on staff in 2010. Transco plans its own in-person inspections only once every 7 years.

And pipelines DO explode: About 300 per year, on average, causing property damage, injuries – and death.

1. Lena Groeger, Pipelines Explained: How Safe are America's 2.5 Million Miles of Pipelines? Pro Publica November 15, 2012.

Page 1

IND23-1

See the responses to comments CM1-19 and CM1-56.

IND23-2

See the responses to comments CM1-23, CM1-31, and CM1-53.

IND23 – P. Baker (cont'd)

20131112-5007(28919193).txt	
3. Fire and Flood Hazards	
IND23-3	"The transportation of natural gas by pipeline involves some incremental risk to the public due to the potential for an accidental release of natural gas. The greatest hazard is a fire or major pipeline rupture." (Draft EIS 4.12)
IND23-4	In Floyd Bennett Field, the Metering & Regulating Facility's regulator vault will be placed one foot above the floor of an airplane hangar which is at a 16' elevation above sea level. This is in a flood zone where water crested at 14' after Hurricane Sandy. The potential mix of seawater and gas is a dangerous one. When regulator vaults flood, the regulator mechanism's ability to reduce gas pressure can be significantly impaired. Water can cause the regulator to be stuck in the open position, dramatically increasing the pressure. If gas comes into a home or business at a higher pressure than it's supposed to, a fire or explosion can result. Williams Transco claims that the likelihood of flooding is not significantly greater now than in the summer of 2012, just before Hurricane Sandy, despite authoritative findings of the Intergovernmental Panel on Climate Change (IPCC) that sea level rise is inevitable and man-made.
4. Impacts on Protected Species	
IND23-5	The project will have negative impacts on endangered and protected species. The DEIS acknowledges that this project "is likely to adversely affect Atlantic Right whale and Atlantic Sturgeon," and that it may also have impacts for the Leatherback Sea Turtle, Kemp's Ridley Sea Turtle, Green Sea Turtle, Loggerhead Sea Turtle, Roseate Tern, Piping Plover, and Seabeach Amaranth. These impacts result from a variety of factors including pile driving noise, dredging, ocean debris, and the potential for collision with vessels.
5. Impacts on Marine Wildlife	
IND23-6	Noise in the immediate area of pile driving for pipeline construction would exceed the injury threshold for fish, and the behavioral disturbance threshold for sea turtles; and would exceed the behavioral disturbance for marine mammals for a distance of 2.86 miles. In fact, Williams Transco has applied to the National Ocean and Atmospheric Administration (NOAA) for authorization for "Intermittent Level B Harassment" of six marine mammal species. Construction of the offshore pipeline also would directly disturb approximately 38 acres of seabed due to dredging and jetting. Benthic species in these areas, such as Surfclams, most likely would perish.
6. Impacts on Essential Fish Habitat	
IND23-8	The pipeline will be located in a marine area that supports Essential Fish Habitat for 21 species. In addition to noise impacts discussed above, offshore excavations would create turbidity plumes in the water column that could clog fish gills, obscure visual stimuli, and reduce food intake for some fish. It is estimated that up to 402 acres of seabed could be affected by sedimentation.
IND23-9	7. Concerns About The Historic Hangars
Page 2	

IND23-3

See the responses to comments CM1-23, CM1-31, and CM1-53.

IND23-4

Comment noted. Also see the responses to comments CM1-8 and CM1-50.

IND23-5

Comment noted.

IND23-6

Comment noted.

IND23-7

Comment noted.

IND23-8

Comment noted.

IND23-9

See the response to comment CM2-27.

IND23 – P. Baker (cont'd)

20131112-5007(28919193).txt

- IND23-9
(cont'd) | Information on the design of the interiors of the airplane hangars is being considered privileged information and not made available to the public, so we have limited information. We do know that, in certain parts of the hangars, fire retardant materials will not be used, due to the "aesthetics" of preserving of the historic look of the hangars, nor will the sprinkler system be activated.
- IND23-10 | In assessing the potential of vibration from construction activities, Transco states that "the simultaneous operation of multiple pieces of equipment or operation of equipment within 5 to 10 feet from the hanger walls could potentially cause damage

IND23-10

Impacts on the hangar complex at Floyd Bennett Field due to construction vibrations are discussed in Section 4.11.3 of the EIS.

IND24 – Jack David Marcus

	20131112-5008(28919194).txt	
IND24-1	<p>Jack David Marcus, New York, NY.</p> <p>1. This Project Should Not Be Segmented To Avoid Review</p> <p>The Rockaway Lateral Delivery Project under FERC review has 2 parts: 1) a 3.2-mile pipeline that would be trenched into the ocean floor and run beneath Riis Beach in Queens, and 2) a Metering & Regulating Facility to be built in historic hangars at Floyd Bennett Field in Brooklyn. But there is a 1.6-mile gap between those 2 pieces of the project.</p> <p>This summer, National Grid "bridged" that future gap with their Brooklyn-Queens Interconnect (B-QI), Phase I. Because the B-QI has been falsely categorized as a local distribution pipe, National Grid was allowed to construct it under the Rockaway Inlet-through the Special Natural Waterfront Area and Significant Coastal Fish and Wildlife Habitat of Jamaica Bay-without any environmental review.</p> <p>In 2012 the EPA advised FERC in its review: "A comprehensive evaluation of cumulative, indirect and secondary impacts should be presented. The cumulative impacts analysis should consider the environmental impacts of the National Grid pipeline, without which the Rockaway Delivery Lateral would not be constructed." And federal case law says a project cannot be segmented so as to avoid review. FERC has ignored the EPA advice and the law. FERC should include a comprehensive evaluation of the cumulative impacts of the entire project-including the National Grid pipeline-in its environmental review.</p> <p>2. Pipeline Safety</p> <p>Since 1986, pipeline accidents have killed more than 500 people, injured over 4,000, and cost nearly seven billion dollars in property damages [1] in the United States alone.</p> <p>The Rockaway Lateral Pipeline will be vulnerable to leakage during construction, from natural disasters, from terrorism, and from corrosion. Current national inspections of pipelines are inadequate, with only 7% of natural gas lines inspected each year. The Pipeline and Hazardous Materials Safety Administration (PHMSA) is chronically short of inspectors. It has funding for only 137, but had only 110 inspectors on staff in 2010. Transco plans its own in person inspections only once every 7 years.</p> <p>And pipelines DO explode: About 300 per year, on average, causing property damage, injuries – and death.</p> <p>1. Lena Groeger, Pipelines Explained: How Safe are America's 2.5 Million Miles of Pipelines? Pro Publica November 15, 2012.</p> <p>3. Fire and Flood Hazards</p> <p>"The transportation of natural gas by pipeline involves some incremental risk to the public due to the potential for an accidental release of natural gas. The greatest hazard is a fire or major pipeline rupture." (Draft EIS 4.12)</p> <p>In Floyd Bennett Field, the Metering & Regulating Facility's regulator vault will be placed one foot above the floor of an airplane hangar which is at a 16' elevation above sea level. This is in a flood zone where water crested at 14' after Hurricane Sandy. The potential mix of seawater and gas is a dangerous one.</p> <p>When regulator vaults flood, the regulator mechanism's ability to reduce gas pressure can be significantly impaired. Water can cause the regulator to be stuck in the open position, dramatically increasing the pressure. If gas comes into a home or business at a higher pressure than it's supposed to, a fire or explosion can result. Williams Transco claims that the likelihood of flooding is not significantly greater now than in the summer of 2012, just before Hurricane Sandy, despite authoritative findings of the Intergovernmental Panel on Climate Change (IPCC) that sea level rise is inevitable and man-made.</p> <p>4. Impacts on Protected Species</p> <p>The project will have negative impacts on endangered and protected species. The DEIS acknowledges that this project "is likely to adversely affect Atlantic Right Whale and Atlantic Sturgeon," and that it may also have impacts for the Leatherback Sea Turtle, Kemp's Ridley Sea Turtle, Green Sea Turtle, Loggerhead Sea Turtle, Roseate Tern, Piping Plover, and Seabeach Amaranth. These impacts result from a variety of factors including pile driving noise, dredging, ocean debris, and the potential for collision with vessels.</p> <p>5. Impacts on Marine Wildlife</p> <p>Noise in the immediate area of pile driving for pipeline construction would exceed</p> <p>Page 1</p>	

IND24-1

See the responses to comments CM1-19 and CM1-56.

IND24-2

See the responses to comments CM1-23, CM1-31, and CM1-53.

IND24-3

See the responses to comments CM1-23, CM1-31, and CM1-53.

IND24-4

Comment noted. Also see the responses to comments CM1-8 and CM1-50.

IND24-5

Comment noted.

IND24-6

Comment noted.

IND24 – Jack David Marcus (cont'd)

	20131112-5008(28919194).txt
IND24-6 (cont'd)	the injury threshold for fish, and the behavioral disturbance threshold for sea turtles; and would exceed the behavioral disturbance for marine mammals for a distance of 2.86 miles. In fact, Williams Transco has applied to the National Ocean
IND24-7	and Atmospheric Administration (NOAA) for authorization for "Intermittent Level B Harassment" of six marine mammal species. Construction of the offshore pipeline also would directly disturb approximately 38 acres of seabed due to dredging and jetting. Benthic species in these areas, such as Surfclams, most likely would perish.
IND24-8	6. Impacts on Essential Fish Habitat The pipeline will be located in a marine area that supports Essential Fish Habitat for 21 species. In addition to noise impacts discussed above, offshore excavations would create turbidity plumes in the water column that could clog fish gills, obscure visual stimuli, and reduce food intake for some fish. It is estimated that up to 402 acres of seabed could be affected by sedimentation.
IND24-9	7. Concerns About The Historic Hangars Information on the design of the interiors of the airplane hangars is being considered privileged information and not made available to the public, so we have limited information. We do know that, in certain parts of the hangars, fire retardant materials will not be used, due to the "aesthetics" of preserving of the historic look of the hangars, nor will the sprinkler system be activated. In assessing the potential of vibration from construction activities, Transco states that "the simultaneous operation of multiple pieces of equipment or operation of equipment within 5 to 10 feet from the hanger walls could potentially cause damage."
IND24-10	The EIS suggests that a 'vibration level threshold' for the hanger be identified and that a Construction Protection (CPP) plan be created
Page 2	

IND24-7 Comment noted.

IND24-8 Comment noted.

IND24-9 See the response to comment CM2-27.

IND24-10 See the response to comment IND23-10.

IND25 – Lise Brenner

20131112-5010(28919198).txt

Lise Brenner, Brooklyn, NY.

IND25-1 | I am writing to state my objection to the Rockaway pipeline for LNG gas.

There are many but here are the main points:

IND25-2 | 1. Jamaica Bay and Floyd Bennet Field are wildlife protection areas

IND25-3 | 2. Jamaica Bay is public land and should not be used for private corporate profit

IND25-4 | 3. All of NY City is densely populated and the fall out in human suffering will be enormous when the next accident occurs

IND25-5 | 4. Accidents are inevitable with volatile substances such as LNG and to pretend otherwise is disingenuous and shows a callous disregard for the health and well being of citizens and all living things in our city and state

IND25-6 | 5. Fracked gas contains dangerous levels of radon

IND25-7 | 6. Hydrofracking has destroyed whole swathes of this country already and this pipeline will only encourage the devastation

Sincerely
Lise Brenner

Page 1

IND25-1

Your objection is noted. The Rockaway Project is not an LNG facility. Also see the response to comment CM2-33.

IND25-2

Comment noted. No portion of the Rockaway Project would be built within Jamaica Bay.

IND25-3

Comment noted. No portion of the Rockaway Project would be built within Jamaica Bay.

IND25-4

See the response to comment CM1-53.

IND25-5

The purpose of the Rockaway Project is not to transport LNG. Also see the responses to comments CM1-23, CM1-31, and CM1-53.

IND25-6

See the response to comment CM1-21.

IND25-7

See the response to comment CM1-6.

IND26 – Neil Bleifeld

20131112-5127(28920306).txt

Neil Bleifeld, NEW YORK, NY.
Re: DOCKET NUMBER CP13-36-000 -
IND26-1 | This pipeline is an expression of the contempt with which we Americans hold the
environment. It will be destructive in the building, and dangerous in the
IND26-2 | operation. Above all, it will favor the exploitation and exportation of fracked
gas. Fracking is a toxic technology which cannot be made safe by regulation.
IND26-3 | Further, we should not be pumping radioactive gas into the kitchens of New Yorkers.
Don't do it! Protect us, don't sell us!

IND26-1

Comment noted.

IND26-2

See the response to comment CM1-6.

IND26-3

See the response to comment CM1-21.

Page 1

IND27 – Laurie Chaumont

ORIGINAL FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
 (DOCKET NOS. CP13-36-000 AND CP13-132-000)

Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.

Please send copies referenced to Docket Nos. CP13-36-000 and CP13-132-000 to the addresses below.

For Official Filing (send 2 copies):	Another Copy (send 1 copy):
Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426	Gas Branch 3, PJ-11.3 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426

COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND27-1
 I am opposed to the proposed use of the Hangars 1 & 2 at Floyd Bennett field for the material and so on at the station.

IND27-2
 I am also opposed to running a gas pipeline under Rockaway Beach

Commentor's Name and Mailing Address (Please print legibly)

Laurie Chaumont
 569 5th St
 Brooklyn NY 11215

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 2013 NOV 12 A 9 14
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¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.

IND27-1 Your opposition to use of the hangars for the M&R facility is noted.

IND27-2 Your opposition to the pipeline route is noted.

IND28 – Audy Dominguez

FEDERAL ENERGY REGULATORY COMMISSION ORIGINAL	
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	
<small>Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.</small>	
<small>Please send copies referenced to Docket Nos. CP13-36-000 and CP13-132-000 to the addresses below.</small>	
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COMMENTS: (PLEASE PRINT LEGIBLY) <small>[attach an additional sheet if necessary]</small>	
<small>IND28-1</small> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"><i>The Section Building should not be used for gas pipe installation destroying historical site which would soon be forgotten. The pipe installation should not be done during the period the beach is being occupied by summer as it is a hazard.</i></div>	
<small>IND28-2</small> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"><div style="display: flex; justify-content: space-between; align-items: center;"><div style="text-align: center;"><div style="border: 1px solid black; padding: 2px 10px; font-weight: bold;">ORIGINAL</div></div><div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; font-size: 0.8em;">FILED SECRETARY OF THE COMMISSION 2013 NOV 12 A P 17 FEDERAL ENERGY REGULATORY COMMISSION</div></div></div>	
<small>Commentor's Name and Mailing Address (Please print legibly)</small> <div style="border-bottom: 1px solid black; display: inline-block; width: 100%;">Audy Dominguez 97-41 92 St Ozone Park Queens, N.Y. 11385</div>	
<small>¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at http://www.ferc.gov under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: http://www.ferc.gov/docs-filing/eComment.asp, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.</small>	

IND28-1 Your opposition to use of the hangars for the M&R facility is noted.

IND28-2 Comment noted. Impacts on land uses are discussed in Section 4.8 of the EIS.

IND29 – Mark Frist

20131113-0011 FERC PDF (Unofficial) 11/13/2013

ORIGINAL **FEDERAL ENERGY REGULATORY COMMISSION**
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
 (DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND29-1 *The accelerated timeline of the project is totally unacceptable. The building is historic and the metering facility will serve no purpose for the public. This is a travesty! We should not be endangered while swimming.*

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 2013 NOV 13 A 9:54
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 REGULATORY COMMISSION

Commentor's Name and Mailing Address *(Please print legibly)*

Mark Frist
86 Graham Ave. Apt. 3B
Brooklyn NY 11206

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IND29-1

See the response to comment CM1-14. Your opposition to use of the hangars for the M&R facility is noted. Impacts on land uses are discussed in Section 4.8 of the EIS.

IND30 – Robert Gold

20131114-5043 FERC PDF (Unofficial) 11/14/2013 9:34:03 AM

Robert Gold, Wantagh, NY.

My Comments regarding the Rockaway Delivery Lateral Project

- IND30-1 I am against this project for the following reasons:
1. Pipeline safety- Over the last 30 years pipeline accidents have killed more than 500 persons and injured more than 4,000 more persons and cost more than 7 billion dollars in damages in the US alone. About 300 explode every year.
 - IND30-2 2. Fire and flood hazards- the M&R Facility will be only 17 feet above sea level and Hurricane Sandy rose to 16 feet and there is no way to predict how high future hurricanes will rise. The more recent typhoon in the Phillipines shows how unpredictable storms are becoming on this planet.
 - IND30-3 3. Negative impact on protected species such as the Atlantic Right Whale and the Atlantic Sturgeon, as well as many more species.
 - IND30-4 4. Dredging of toxins- the area off the Gateway National Recreation Area has been the site of some of the worst dumping along the East Coast. It contains lead, chromium, copper, gold, selenium, and zinc. These toxins could poison local fish and ruin commercial fisheries.
 - IND30-5 5. It will exacerbate climate change- natural gas, as methane, contributes more to global warming than an equivalent amount of CO2, and is very dangerous if there are leaks.
 - IND30-6 6. Investing billions of dollars in Fossil Fuels infrastructure is a disincentive to investment in renewables! What the planet really needs is Solar Energy, Wind Farms, etc.!

IND30-1 See the responses to comments CM1-23, CM1-31, and CM1-53.

IND30-2 Comment noted. See the responses to comments CM1-8 and CM1-50.

IND30-3 Comment noted. Impacts on special status species are discussed in Section 4.7 of the EIS.

IND30-4 Comment noted. See the response to comment CM1-85.

IND30-5 See the response to comment IND10-19.

IND30-6 See the response to comment CM1-24.

IND31 – Fabienne Elie

20131114-0006 FERC PDF (Unofficial) 11/14/2013

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND31-1 The proposed project sets an unfortunate precedent for the future of public parks and public spaces in general. I feel this project appears neither necessary nor appropriate. Construction plans would most certainly interfere with public use if it begins in the summer.

IND31-2

IND31-3

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REGULATORY COMMISSION

Commentor's Name and Mailing Address *(Please print legibly)*

Fabienne Elie
956 SENECA AVE 1L
RIDGEMOOD, NY 11385

¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 23, 2013.

- IND31-1 See the responses to comments CM1-33 and CM1-34.
- IND31-2 See the responses to comments CM1-23, CM1-31, and CM1-53.
- IND31-3 Comment noted. See the response to comment CM1-14. Impacts on land uses are discussed in Section 4.8 of the EIS.

IND32 – Gay H. Snyder

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

COMMENTS IN RESPONSE TO DRAFT EIS

Gay H. Snyder
Attorney at Law
2920 Avenue R #250
Brooklyn, NY 11229
Phone: (718) 339-5491
E mail: gaysnyderesq@aol.com

November 14, 2013

Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426
Attention: Ms. Kimberly D. Bose, Secretary

Re: Transcontinental Gas Pipe Line Company, LLC Rockaway Delivery
Lateral Project
FERC Docket: CP 13-36-000

Dear Secretary Bose:

I am an intervenor opposing the Rockaway Lateral Project. I have already submitted written and verbal comments. I now submit remarks with regard to the draft EIS. I reserve the right to rely upon and incorporate by reference into my remarks all other opposing comments.

IND32-1 I object to and oppose the entire project, but my remarks will focus mostly on the gas line and metering and regulating station planned to be built in historic hangars known as Hangars 1 and 2 at Floyd Bennett Field. I am a park user and visit Floyd Bennett Field frequently.

Floyd Bennett Field is a very busy national park, and the presence of a gas line and metering station in Floyd Bennett Field would threaten and compromise vital community resources including but not limited to bicycle riding, camping, hiking, nature watching and a community garden. Construction under the nearby waterways and

Page 1 of 9

IND32-1

See the response to comment CM1-33. Impacts on the marine environment and wildlife are discussed in Sections 4.3, 4.5, 4.6, and 4.7 of the EIS.

IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

IND32-1
(cont'd)

beaches such as Jacob Riis Park would not only threaten the marine environment and wildlife, it would also interfere with community resources such as boating, swimming and fishing.

IND32-2

Gateway National Park is located in the largest city in the United States. It serves a densely populated area which is in great need of green spaces. This matter appears to be precedent setting i.e. if approved, this project would be the adaptive reuse of historic structures within the context of the national recreation area for a private industrial hazardous use wholly outside of the park's purpose and values. This use is completely incompatible with current park uses, NPS laws and policy (both park service wide and park specific) and Gateway NRA programs and General Management plan.

The public would no longer be able to enjoy or use the alienated premises. Under Transco's proposal, the outside of the hangars would be "freshened up," but the inside would be off limits to the public because it would house an industrial facility. I urge FERC to soundly reject this Trojan Horse.

IND32-3

The proposal to build a metering station in these hangars is so bizarre, Congress had to pass a law, HR 2606, now called the New York City Natural Gas Supply Enhancement Act, to authorize it. For all of the reasons set forth by Ms. Barbara Pearson, Ms. Karen Orlando and Mr. Joe Nerone, this proposed metering station still fails to comply with the above referenced Act and further fails to comply with other statutes and regulations. Using this property for a metering station is not an activity consistent with the purposes of a recreational park and the proposed pipeline and metering station would lessen the purpose and value of the premises.

IND32-4

As one can see from the legislative history of the New York City Natural Gas Supply Enhancement Act, the National Park Service has, unfortunately, been cheerleading the project because it believes it would benefit financially if the gas metering station is approved. The public was never given an opportunity to participate in the secretive and rushed Congressional hearings. This is precisely why the public needs an entity such as FERC to step in, review matters objectively and deny Transco's petition.

Page 2 of 9

IND32-2

See the response to comment CM1-34.

IND32-3

See the responses to comments CM1-34 and CM1-44.

IND32-4

See the response to comment CM1-12.

IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

IND32-5

In my opinion, the National Park Service knows or should know that this proposed metering station is NOT a proper use of these historic buildings in Floyd Bennett Field. This is demonstrated by e mails I personally exchanged with the NPS recently.

On October 25, 2013, I received an unsolicited e mail from Daphne Yun, Public Affairs Specialist for the NPS. The NPS is seeking submissions from the public for the use of vacant buildings at Fort Hancock. Fort Hancock is part of Gateway National Park as is Jamaica Bay Wild life Refuge and Floyd Bennett Field. Here is the e mail from Ms. Yun:

From: Yun, Daphne <daphne_yun@nps.gov>

To: undisclosed-recipients;

Subject: 2013 RFEI at Fort Hancock: Honor History, Invest in its Future

Date: Fri, Oct 25, 2013 8:22 am

Attachments: RFEIsm-rev23Oct2013-2_(final)_(1).pdf (1196K),

RFEItearsheetsm-rev23Oct2013_(final).pdf (431K)

Dear Friend

The National Park Service, with the advice of the Fort Hancock 21st Century Advisory Committee, is seeking

interested parties to redevelop historic structures in the Sandy Hook Unit of Gateway National Recreation Area.

Attached please find the Request for Expressions of Interest (RFEI) that invites submissions of concepts that would

transform the use of historic buildings located within Sandy Hook's Fort Hancock Historic District. Adaptive reuse of

historic buildings is the first big step in saving Fort Hancock's historic landscape.

The RFEI was released on Tuesday, October 22, 2013. If you are someone you know is interested in submitting a

proposal, please see the attached documents or visit

www.forthancock21stcentury.org. All responses must comply

Page 3 of 9

IND32-5

See the response to comment CM1-34. The referenced proposal to transform the use of historic buildings located within Sandy Hook's Fort Hancock Historic District is a separate NPS undertaking and is beyond the scope of this EIS.

IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

IND32-5
(cont'd)

with the submission requirements contained in the RFEI brochure.

Site visits for interested parties begin at 10 AM on Wednesday, November 6 and Thursday, November 14.

Questions can be submitted to Forthancock21stcentury@yahoo.com until Monday, December 9.

Final submission are due no later than 5:00 PM Monday, December 16.

Kind Regards,

Daphne Yun

Public Affairs Specialist

Gateway National Recreation Area

718-354-4602

917-282-9393

I responded to her with the following e mail on October 26, 2013:

From: Gay Snyder gaysnyderesq@aol.com

To: daphne_yun <daphne_yun@nps.gov>

Subject: Re: 2013 RFEI at Fort Hancock: Honor History, Invest in its Future

Date: Sat, Oct 26, 2013 7:23 am

Thanks for your e mail.

Could you please give me some examples of proper adaptive reuses in a national park?

Gay Snyder

Page 4 of 9

IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

IND32-5
(cont'd)

gaysnyderesq@aol.com

On October 29, 2013 I received the following response from John Warren of the NPS:

Tue, Oct 29, 2013 11:45 am

Adaptive reuse of historic structures in National Parks

From **Warren, John** john_warren@nps.gov [hide details](#)

To **gaysnyderesq** gaysnyderesq@aol.com

Dear Gay,

Your email was forwarded to me. I attach a few links concerning adaptive reuse of historic structures in National Parks for you.

I don't know your familiarity with the subject, so here's the "broad brush" version.

National parks exist to preserve areas for the American people. Many national parks, including ours, have more historic structures than we can realistically restore or maintain. One way to preserve the buildings, as well as the historic landscape, is to lease them for "adaptive" reuse. Leases can be awarded to commercial or non-profit organizations. National parks have been home to commercial enterprises, especially hotels, since before the National Park Service was founded in 1916.

However, not all uses would be approved. The National Park Service sets parameters for what we are willing to accept in a proposal from an interested party. In our own Request for Expressions of Interest (RFEI), Gateway's first guideline is this: "Proposals should preserve the peace and serenity of Sandy Hook and not adversely effect the Historic District." Further guidelines can be found in both our RFEI booklet and tear sheet, which are posted here: <http://www.forthancock21stcentury.org/rfei>

Below are some links concerning other RFEIs in national parks. This one links to brief news stories about other RFEIs issued by the agency nationwide. As you can see, RFEIs are used across the country in many different parks with different resources. Some of these RFEIs are a better match to the historic resources found at Gateway's Sandy Hook Unit than others: <http://concessions.nps.gov/news.htm>

Two RFEI success stories can be found in the San Francisco Bay area. The Presidio had several beautiful military-era buildings which are now preserved by lease holders according to conditions chosen by the National Park Service: <http://www.presidio.gov/Pages/default.aspx>. A smaller area, this one at Cavallo Point, may more closely resemble Sandy Hook's Fort Hancock: <http://www.cavallopoint.com/>.

I hope this information helps answer your questions. Please feel free to contact us for more information. Our main website for the adaptive reuse of Fort Hancock is <http://www.forthancock21stcentury.org/home>.

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IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

John Harlan Warren
cell 917-299-3843

IND32-5
(cont'd) I could not have said it better myself. Thank you, Mr. Warren of the NPS. His e mail confirms that building a gas line and metering station in historic hangars in Floyd Bennett Field is inconsistent with NPS policy.

IND32-6 A further reason why I urge FERC to reject this proposed project is that Transcontinental cannot be trusted to construct it. This matter will have a monumental damaging impact on the environment, even if all goes well. If the construction is performed haphazardly, the result can be devastating, even deadly. In a jury trial, a judge would instruct the jury, if you find that any witness has willfully testified falsely as to any material fact or important matter, the law permits you to **disregard completely the entire testimony of that witness” PJI 1:22.** It is logical to assume that one who testifies falsely about one material fact is likely to testify falsely about everything.” **PJI 1:22.**

IND32-7 I already presented oral remarks questioning the honesty of TRANSCO regarding this project. Among other issues, TRANSCO misrepresented to Congress and to FERC (in its 7C application) the claimed benefits of this Rockaway Lateral Project. As has been stated so eloquently by Ms. Karen Orlando and others, TRANSCO claimed that the Rockaway Lateral would deliver 647,000 dths of *new gas*. This statement is untrue since the Rockaway Lateral will not, alone, deliver anyway near this supply. Rather, the Rockway project must be connected with other projects. TRANSCO’s exaggerations caused Congress to pass HR 2606 based on false information.

IND32-8 I have another example of Transco/NPS misrepresentations. I along with other park users met with TRANSCO and the NPS last year about the Rockaway Lateral Project. They knew we were upset by the project and the use of the hangars for a metering station. TRANSCO and/or NPS represented that HR 2606 only allowed the NPS to “discuss” the leasing of Hangars 1 and 2. That was a lie. The purpose of that bill and subsequent statute was to attempt to alter the laws concerning the use of park land and to try to allow the placement of the metering station in historic hangars at Floyd Bennett Field. TRANSCO knew this was way beyond mere discussions. And at the same time they were telling us this, they were engaging in some work inside Hangars 1 and 2 with the full expectation that the bill would pass.

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IND32-6 Comment noted.

IND32-7 See the responses to comments CM1-40 and CM1-56.

IND32-8 Comment noted. Also see the response to comment CM1-44.

IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

IND32-8
(cont'd)

In sum, Transco cannot be trusted to build or to supervise this project. Their application should be denied.

IND32-9

A third reason to deny this application is safety/engineering concerns. Councilman Lew Fidler and others have written to FERC to express concern that there are few working fire hydrants in Floyd Bennett Field and up Flatbush Avenue. The park consists of acres and acres of marine forest that can become very flammable during dry spells. A gas fed fire would burn for hours, spread quickly and consume many acres of land.

IND32-10

Floyd Bennett Field and surroundings are located on a narrow peninsular. If there were a gas leak or fire, the only thoroughfare in or out of the area would be Flatbush Avenue. New York City is building a gas pipeline right under Flatbush Avenue.

IND32-11

Based upon its own literature, the NPS wants to expand and encourage public use of Floyd Bennett Field for recreational activities that could attract hundreds or even thousands of people. In recent years, Floyd Bennett Field has been used for concerts, the Kings County Fair, camping and other events. It is surrounded by a tall fence with, at most, two entrances/exits. Oftentimes, one of the exits is locked and closed! Hence if there were a fire, explosion or gas leak, potentially hundreds or even thousands of people would be trapped in Floyd Bennett Field because Flatbush Avenue would either be blocked and/or it would be very congested with traffic. People trapped in the park would have to run, bicycle or drive to Jamaica Bay on the eastern end of the park and wait for help or jump into the water. The fire department and other rescuers would have great trouble arriving at Floyd Bennett Field down Flatbush Avenue. In sum, the planned location of this pipeline and metering station is unsafe in the event of an emergency.

IND32-12

I also share the concerns of retired engineer Dominick Gibino of Manassas, Virginia and others that the Rockaways and Floyd Bennett Field are at risk of flooding, and such flooding may destroy any alleged safety features built into the project. I share Mr. Gibino's concerns and appreciate his comments that, "years ago {he} read with interest the engineering assessments that said the probability of a nuclear accident at the Three Mile Island facility was negligible." Presumably the experts who designed and built the Fukushima nuclear reactor also believed they had created a safe facility, yet following a tsunami in March 2011, the reactor continues to pollute the air and ocean. http://en.wikipedia.org/wiki/Timeline_of_the_Fukushima_Daiichi_nuclear_disaster.

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IND32-9

See the response to comment CM2-27.

IND32-10

See the response to comment CM1-11.

IND32-11

See the responses to comments CM1-11 and CM1-34.

IND32-12

See the response to comment IND22-1.

IND32 – Gay H. Snyder (cont'd)

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IND32-13 The proposed metering station would be completely unmanned. The facility would be monitored from Texas electronically. There would be no security guard on site to protect against criminal activity or a terrorist attack. No one would be on site to monitor for a gas leak or other important malfunction.

I personally visited Floyd Bennett Field very soon after Sandy and based on my observations, it appears that electric power had been disrupted. Electric power was also disrupted in the nearby Rockaways. In some parts of Queens and Long Island, electricity was unavailable for weeks. Without electric power, how would the metering station be monitored from afar? How would the gas supply be regulated? How would the hangars be safeguarded against criminal activity?

IND32-14 There is a further safety reason why the metering station does not belong in Floyd Bennett Field. Floyd Bennett Field and, indeed, southern Flatbush Avenue, is built largely on landfill. Overtime, landfill shifts and moves. Furthermore, I believe there should be an independent study of the water table underneath Floyd Bennett Field and/or Flatbush Avenue.

I live in Marine Park, Brooklyn which is about 1 mile or so from Floyd Bennett Field. I have been told that my neighborhood has a fairly high water table underground. Therefore, in the event of a heavy rain, the underground water level can rise, causing flooding and causing the landfill and soil under the ground to wash away. It is my understanding that when pipes are placed underground, they need support underneath them. If the landfill or dirt underground should shift or wash away, the gas pipes may not have adequate support. Hence, if they are subjected to vibrations such as from the traffic on Flatbush Avenue, the forces will eventually cause the pipes to weaken and break. This is one of the reasons why old water pipes sometimes break in the City of New York.

IND32-15 For all of the above reasons as well as the additional reasons previously presented, I respectfully ask that you not allow Transco to proceed with this awful project. I especially ask that the metering station and gas pipes NOT be located within Gateway National Park.

Very truly yours,

(signed) *Gay H. Snyder*

Gay H. Snyder

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IND32-13 See the response to comment CM1-79.

IND32-14 As discussed in Section 4.1.2 of the EIS, geotechnical investigations at the M&R facility identified a layer of fill at the surface measuring approximately 15 feet thick. The level of the water table in this area is dependent on the tide and may extend into the fill layer for portions of the day. The M&R facility would be built in a previously disturbed, paved area that has withstood previous water table fluctuations and flooding events (see Section 4.1.4.3 of the EIS). All of the proposed facilities would be designed and constructed in accordance with DOT standards to provide adequate protection from washouts, floods, and unstable soils.

IND32-15 Your opposition to the Rockaway Project is noted.

IND32 – Gay H. Snyder (cont'd)

20131114-5050 FERC PDF (Unofficial) 11/14/2013 10:08:44 AM

FERC Comments November 2013

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list [or the restricted service list, if applicable] compiled by the Secretary in this proceeding.

Dated at this 14th day of November 2013.

Gay H. Snyder

Gay H. Snyder
Attorney at Law
2920 Avenue R
Brooklyn, NY 11229
Phone: (718) 339-5491

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IND33 – George Casey

20131115-5043 FERC PDF (Unofficial) 11/15/2013 11:00:16 AM

IND33-1 George Casey, Brooklyn, NY.
I do NOT support Transcontinental's application to put a pipeline through the Gateway National Park.

I am a longtime visitor to the park's amazing Jacob Riis Park and the historic Floyd Bennett field. It's probably my favorite place in all of New York City.

New York's beaches are generally dirty; Jacob Riis is one of the cleanest beaches and offers a respite from the most bustling city in the United States for countless residents like myself. This Summer I spent every weekend except for one, 10 hours a day, at this beach. It's one of my favorite places in the world!

IND33-2 I do NOT support boosting the profits of a private company at the expense of the general public that OWN the land in question. I do NOT support the practice of fracking in general. I want this park to be there for my children and my children's children to enjoy without the site of pumping stations and the risk of pipeline failure, environmental damage, etc.

New York City doesn't have a lot of beautiful natural places left. Do not take away one of the last ones we have just to put some money in some pipeline company's pockets.

IND33-3 My grandfather loaned a suit to Charles Lindbergh upon his landing in France after his historic transcontinental flight (you can see the suit in any film of Lindbergh in the parade in Paris). Lindbergh's memory is very important to my family and the hangars at Floyd Bennett are like a second home to me. PLEASE do not obliterate a symbol of aviation history by setting aside historic hanger space for some pumping station.

IND33-1 Your opposition to the Rockaway Project is noted.

IND33-2 Comment noted. The Rockaway Project does not involve hydraulic fracturing.

IND33-3 Comment noted.

IND34 – Laurel Girvan

20131115-5052 FERC PDF (Unofficial) 11/15/2013 11:32:08 AM

IND34-1 Laurel Girvan, Brooklyn, NY.

I support a full environmental review and public comment period on the possible consequences of installing a pipeline below Jamaica Bay to carry natural gas for National Grid. I find it improbable in the extreme that high-pressure water jets capable of excavating many feet below the ocean floor will have NO significant adverse effect on the surrounding marine ecosystem. For the city to allow this part of the project to proceed without a thorough environmental impact study is negligent and strongly suggests an unhealthy close relationship between the city and the highly profitable private enterprise National Grid PLC.

IND34-2 I also object to the construction of facilities at Floyd Bennett Field, a Historic Place and national park. National park land and facilities are held by the federal government in trust, and ceding a large amount of footage to National Grid for a metering station is an irresponsible use of this property and one that disproportionately benefits the private profits of National Grid and its shareholders while erasing any possibility of community members innovating better communal uses of the space or even having the option of doing so. I would like some transparency about what the city is requiring from Natl Grid in return for this arrangement, so that people can see how might benefit them and decide if THEY feel the advantages are worthy.

Sincerely,
Laurel Girvan

IND34-1

No portion of the Rockaway Project would be built within Jamaica Bay. See the responses to comments CM1-19 and CM1-56.

IND34-2

Comment noted. Also see the response to comment CM1-34.

IND35 – Kyle Manson

20131115-5083 FERC PDF (Unofficial) 11/15/2013 1:43:15 PM

IND35-1 | Kyle manson, Brooklyn, NY.
Hi I'm a Biology teacher from New York City. I think that placing pipe lines in rockaway would be detrimental to not only the beautiful park but also for the many people that got here to enjoy nature and activities such as camping and flying rc planes. I often go to Floyd Bennett field and it would be terrible if they placed a gas line and ruined such a beautiful place.

IND35-1

Your opposition to the Rockaway Project is noted. Impacts on land uses at Floyd Bennett Field are discussed in Section 4.8.7 of the EIS.

IND36 – Brian Porzak

20131115-5062 FERC PDF (Unofficial) 11/15/2013 12:15:03 PM

Brian Porzak, New York, NY.
IND36-1 The gas industry intends to surround us with an expanding network of shale gas pipelines to bring fracked gas to markets here and overseas. One of these is the Rockaway Pipeline, a 26-inch high-pressure pipeline to be built by Williams Transco and National Grid. It will be trenched into the ocean floor, run under the sand of Riis Park Beach, cross below the Rockaway Inlet adjacent to Jamaica Bay, and continue up Flatbush Avenue to a Metering & Regulation facility (M&R Station) to be built in two historic hangars at Floyd Bennett Field. The impacts and risks are many: local environmental effects from both the construction process and the normal operation of the project, and the risk of catastrophic failure, accidental or intentional. This pipeline will greatly encourage the expansion of fracking with all its attendant environmental ills, and it will bring more fracked (and possibly very radioactive) gas from the Marcellus Shale into our region.

IND36-1

Your opposition to the Rockaway Project is noted. See the responses to comments CM1-6, CM1-21, and CM1-56.

IND37 – Karen Orlando

20131115-5015 FERC PDF (Unofficial) 11/14/2013 5:17:46 PM

Failure to Comply With Federal Regulations/ Nonfactual and misleading statements by
Applicant under Dockets PF09-8 and CP13-36

Thursday, November 14, 2013

Ms. Bose,

IND37-1 The following comments will address both statements and information supplied to FERC under dockets CP13-36 and PF09-8. I ask that the FERC consider the information provided from the pre-file process discussed here because they relate directly to statute 18 C.F.R § 157.5 and whether or not the applicant has filed all pertinent data and information necessary for a full and complete understanding of the proposed project (the Rockaway Lateral Deliver Project, as submitted under docket CP13-36), including its effect upon applicant's **present and future** operations.

On March 13, 2009 Transcontinental Gas Pipe Line Company, LLC ("Transco") requested that the Federal Energy Regulatory Commission ("Commission") Staff initiate, pursuant to Section 157.21(b) of the Commission's regulations under the Natural Gas Act, a National Environmental Policy Act Pre-Filing review of Transco's proposed Rockaway Delivery Point Project (the Project) which at that time they claimed only would enable Transco to make deliveries into National Grid's New York City distribution system at a new delivery point on the Rockaway Peninsula in Queens County, New York. On that date, the Project was described as involving the construction of the following facilities: • a 3.22-mile 26" lateral from Transco's existing Lower New York Bay Lateral to an interconnect with National Grid; a new meter station; and other appurtenant facilities."

Transco at that time claimed the Rockaway Delivery Point Project was designed for **530 MMcf/d of capacity**. At that time Transco stated there were **no LNG terminal** facilities related to or proposed as part of this Project. At that time, Transco further stated that an expansion project upstream of the Rockaway Delivery Point Project to serve the broader Northeast markets had not been fully developed. They further stated that in the event the commercial arrangements support including the Rockaway Delivery Point Project as part of a more comprehensive system expansion project serving Northeast markets, they anticipated filing a request to amend the

IND37-1

Comment noted.

IND37 – Karen Orlando (cont'd)

20131115-5015 FERC PDF (Unofficial) 11/14/2013 5:17:46 PM

instant Pre-Filing request to incorporate this more comprehensive system expansion project. They also stated they fully understood that such a request would require extending the **Pre-Filing schedule to accommodate the scoping and evaluation of the expanded project.**

Let's ignore for the moment that immediately following Transco's subsequent filing of their first draft resource reports in 2009, numbered 1 & 10, the Army Corps immediately requested that Transco discuss Safe Harbor Energy's proposed LNG project tie-in to the existing NYLBL. And let's ignore the fact that also in July 2009 a letter from Atlantic Sea Harbor was submitted which stated that Transco was providing non factual and misleading information about that proposed Safe Harbor tie-in, and moreover stating that they had travelled to Houston to meet with Transco in 2008 to discuss that tie-in, and fast forward to Jan of 2013. (All of the previous sentences in this paragraph can be corroborated by documents submitted under docket PF09-8)

In January 7, 2013, Transco Transcontinental Gas Pipe Line Company, LLC ("Transco") filed an application pursuant to Section 7(c) of the Natural Gas Act ("NGA"), 15 U.S.C. §§ 717f(c), and Part 157(A) of the Federal Energy Regulatory Commission ("Commission") regulations, 18 C.F.R. §§ 157.5, *et seq.*, for an order issuing a certificate of public convenience and necessity authorizing Transco to construct and operate its Rockaway Delivery Lateral Project and stated the Rockaway Delivery Lateral would enable Transco to make deliveries into National Grid's New York City distribution system at a new delivery point on the Rockaway Peninsula in Queens County, New York, and would provide **647,000** dekatherms per day ("dt/day") of firm transportation service. The facilities that would be constructed were approximately the same as they were described in 2009, but the capacity had increased. In their 7C application Transco stated they were not aware of any application to supplement or effectuate their proposals set forth which must be or was to be filed by Transco, any of Transco's customers, or any other person with any other Federal, state or other regulatory body, which appears to be a deliberately false statement. They also requested that the Commission issue a **final order** granting the authorizations requested a little less than 9 months later, by October 1, 2013, which Transco claimed would enable them to commence construction of the proposed facilities to meet the November 1, 2014 target in-service date for the Project.

IND37 – Karen Orlando (cont’d)

20131115-5015 FERC PDF (Unofficial) 11/14/2013 5:17:46 PM

According to RR 1. General Project Description 1.1 Transco stated the following:

“Transcontinental Gas Pipe Line Company, LLC (Transco) is proposing to expand its pipeline system to meet both the immediate and future demand for natural gas in the New York City market area. This project, the Rockaway Delivery Lateral Project (Project), would provide an additional delivery point to National Grid’s local distribution companies—Brooklyn Union Gas Company (doing business as National Grid NY) and KeySpan Gas East Corporation—collectively referred to here as National Grid. The Project would provide firm delivery lateral service of 647 thousand dekatherms per day (Mdt/d) of natural gas to National Grid’s system in Brooklyn, New York, giving National Grid the flexibility to shift existing natural gas supplies from the existing Long Beach delivery point to the new delivery point, significantly enhancing the security and reliability of supply for the National Grid system. While this new lateral would have a total capacity of 647 Mdt/d, only 100 Mdt/d is incremental (i.e., an addition) to the National Grid system. The remaining 547 Mdt/d of capacity would enable National Grid to shift delivery of existing volumes from the Long Beach delivery point to this new lateral to address reliability and shifting usage patterns within National Grid’s system. In a different section Section 1.1.1.2 Transco states the Project would provide a total capacity of 647 Mdt/d, giving National Grid the flexibility to redirect **all** or some of its system capacity, currently contracted to their existing Long Beach delivery point, to a new delivery point in Brooklyn **during peak demand** periods. Also when describing National Grid’s needs and the BQI project, Transco states that new supplies are also needed in Long Island.

This is more or less how Transco described the project when they submitted their revised Resource Reports 1 & 10 in March 30, 2012 under PF09-8. When FERC issued their notice of intent and request for comments on environmental issues on 5/25/2012, FERC also stated at that time: “Transco indicates that the planned project would provide increased natural gas supplies and enhanced system reliability to natural gas distributors throughout the New York City area. Once completed, the project would be capable of delivering up to 647 thousand dekatherms per day (MDth/d) of natural gas (including 100 MDth/d of new incremental supply) from Transco’s pipeline system to National Grid’s distribution system in Brooklyn, New York. The lateral would also give National Grid the flexibility to shift existing natural gas supplies from its existing Long Beach delivery point to the new delivery point on Flatbush Avenue.

IND37 – Karen Orlando (cont’d)

20131115-5015 FERC PDF (Unofficial) 11/14/2013 5:17:46 PM

IND37-2 As part of their submission, Transco provided many resource reports and data including Resource Report Number 10 which stated that they were at that time not aware of any proposed tie-ins to their existing LNYBL by LNG companies, such as the Port Ambrose Deepwater Port for which an application had been submitted to USCG and MarAd by Liberty Natural Gas LLC. on September 28, 2012. In a rerun, in early Feb 2013 the Army Corps of Engineers immediately asked for information on the currently proposed Port Ambrose project and then Liberty Natural Gas filed a motion to intervene under docket CP13-36 stating they were “developing” a project and might be affected by the outcome of the proceeding.

IND37-3 On Feb, 2013, myself and Joseph Nerone made a motion to intervene in the proceeding taking as one position that a full and complete understanding of the proposed project as required by 18 C.F.R § 157.5 had not been provided by the applicant. We cited that we believed that documents filed by Transco as part of Docket No. CP13-36 contained statements that were misleading and/or incorrect. A few examples were provided which included confusing statements about the Projects (at that time Rockaway Lateral and National Grid’s BQI) need and benefits. Missing information was listed as well. Among other issues raised such as the improper siting of the metering and regulating station, we stated that it did not appear to us that Transco’s project could do **all the things it was claiming** without impacting National Grid’s customers in Long Island, or further expansion, including Transco’s own infrastructure and/or Liberty Natural Gas LLC’s proposed project.

IND37-4 I now have before me a draft EIS for the Rockaway Lateral plus Northeast Connector which combined Transco and FERC now state can deliver 100,000dths of incremental supply out of a 647,000dth firm capacity agreement. As stated to the FERC previously, Williams not only failed to follow regulations when filing their application by providing false statements about their knowledge of all applications necessary to effectuate their proposal, they refused to make clear what the incremental supply of the Rockaway Lateral plus Northeast Connector even were when asked repeatedly. Only FERC has answered this in their draft EIS on the Projects. The information in the draft EIS which states that combined the projects deliver 100,000dth incremental supply out of the 647,000dth capacity invalidates or at the very least challenges the

IND37-2 See the response to comment CM1-43.

IND37-3 Since filing its initial draft resource reports, Transco has filed extensive additional supplemental information about the Projects. This information included modifications or changes to the proposed facilities, and responses to the FERC’s requests for more detail or clarifications. The FERC staff has reviewed and incorporated all of the relevant information into the EIS, which accurately describes both Projects. Also see the responses to comments CM1-56, CM1-125, CM2-32, and IND1-2. See the response to comment CM2-56 regarding National Grid’s need for the proposed services and the response to comment CM1-43 regarding LNG facilities.

IND37-4 Comment noted. See the response to comment IND37-3.

IND37 – Karen Orlando (cont'd)

20131115-5015 FERC PDF (Unofficial) 11/14/2013 5:17:46 PM

IND37-4
(cont'd)
IND37-5

factual validity of all Transco's Resource Reports (pf09-8 & cp13-36) which stated that the Rockaway Project alone provided these benefits. Further Transco still has not provided a public explanation as to how they would be capable of **shifting all** the existing supplies contracted to the Long Beach delivery point to the new delivery point to serve NYC without impacting National Grid's customers in Long Island which their resource reports claim. The only public explanation or answer they have given was that in the event that National Grid's Long island infrastructure was incapable of operating they could shift all the supplies into Brooklyn instead and reroute them to Long Island. This is an answer that speaks to reliability of National Grid's infrastructure, however it is not how Williams presented their project in terms of reliability and increased supply for New York City and no maps or factual evidence has ever been provided that support that statement. The statements provided by the applicant about Long Islands supply needs, whether future or present, further complicate or are confusing in this regard.

IND37-6

Testimony or statements made to Congress in 2011 by the NYC mayor's office as well as the two gentleman responsible for this bill, Congressman Meeks and Grimm also appear to have stated that the Rockaway Lateral/National Grid BQI alone provided incremental gas supply to the tune of 100,000dths. The docket referred to in the legislation was PF09-8 in specific, where the Northeast Connector expansion had never been introduced. In addition to the already submitted evidence that testimony or statements/reports in Congress stated that an agreement had already been reached between NPS and Williams and National Grid, the statements made by New York City politicians in support of HR2606, The New York City Gas Supply Enhancement Act do not appear to have been made based on fact or all the necessary facts.

IND37-7

As described or publically presented by the applicant, the benefits of this project do not outweigh the impacts, both environmental and otherwise that will occur as a result of this project. The impact includes what will amount to FERC allowing or condoning Williams behavior under dockets PF09-8 and CP13-36 which include Williams failure to comply with federal regulations in their 7C application and providing misleading and non-factual information to the public and to FERC as part of their submissions under PF09-8 and CP13-36 for years. Whether this was supported or in collaboration with government officials is no excuse. I ask that the FERC consider all of these issues when making their decision for a Certificate of PUBLIC Convenience

IND37-5 Comment noted. See the response to comment CM1-125.

IND37-6 See the response to comment CM1-12.

IND37-7 Comment noted.

IND37 – Karen Orlando (cont'd)

20131115-5015 FERC PDF (Unofficial) 11/14/2013 5:17:46 PM

IND37-7
(cont'd) and Necessity for the Rockaway Lateral/Northeast Connect. It seems unlikely even at this time, more than 4 ½ years after Transco entered into pre-file that the public has a clear understanding of what this project is even capable of doing and/or not doing. All of this is in addition to the improper manner in which HR2606, now public law 112-197 was enacted.

IND37-8 If the FERC can not reject this application, FERC should require that Williams provide what possible explanation they can dream up as to why the Northeast Connector was not only discussed in prefile but also why they defied federal regulations stating that they also had no knowledge this application would be submitted or necessary. An explanation as to why Transco

IND37-9 stated in their January 2013 resource report #10 that they were unaware of Liberty Natural Gas LLC's Port Ambrose application which was submitted in September 2012 should be required. An explanation as to why they never answered the Army Corps with factual information should also be required.

Comments on the draft EIS will be submitted as well.

Thanks,
Karen Orlando

I am certifying that all on the service list have received a copy.

IND37-8 Comment noted.

IND37-9 Comment noted.

IND38 – Jessica Hall

20131118-5005 FERC PDF (Unofficial) 11/17/2013 11:02:42 PM

IND38-1 Jessica Hall, New York, NY.
Our national parks and recreation areas should not be subject to commercial use that endangers our recreational enjoyment of these areas. This pipeline project not only does such, but endangers the long term health and safety of the environment, local residents and waterways. This is an unsafe, unproven practice and I am totally against it.
Thank you for your consideration.
Jessica Hall, NYC

IND38-1

Comment noted.

IND39 – Karen Orlando

20131118-5017 FERC PDF (Unofficial) 11/17/2013 5:21:57 PM

Response to Nov 15 Supplemental Data:Request for Supplemental Info

Ms. Bose,

IND39-1 On November 15, 2013 Williams answered a data request from FERC on Nov 6th stating:

1. "NYSDOS requested that Transco prepare and submit a **NPS-approved plan for stakeholder outreach (especially directed at beach users) prior to the end of the current stay on the review period (i.e., December 5, 2013).** NYSDOS indicated that CZCA could be approved following review and approval of this outreach plan."

Request clarification on where this outreach plan will be submitted. Is this to DOS directly or also under docket CP13-36? Request this plan be submitted under docket CP13-36 as FERC elibrary is more accessible and transparent if one knows it exists than any database or process by NPS and NY state. It is Nov. 15, 2013 and the deadline for the outreach plan submittal is Dec. 5, 2013. **It appears Transco will for the first time be doing outreach to Jacob Riis users during construction, if this new prime time beach season schedule is deemed acceptable.** Prime beach season is over and will not commence until this new construction schedule begins. This outreach is necessary as it was clear at the Rockaway FERC hearing people are clearly misinformed about exactly where this pipeline is running.

IND39-2 Question whether NPS would be the wisest federal agency to approve a plan on **stakeholder** outreach at Riis for issues, other than where appropriate signage might be placed or permits for tables for Transco employees, when NPS has done zero stakeholder outreach re: this project themselves outside of participating in Transco's or FERC meetings. Request that data on project

IND39-3 construction emissions/hydrostatic testing schedule/exit pit release information/ and at a minimum information required by: Federal pipeline safety regulations ([49 CFR 192.616](#) and [49 CFR 195.440](#)) which require pipeline operators to develop and implement public awareness programs be made part of this "outreach" plan.

IND39-4 2.)" NPS hired a third-party contractor to prepare a safety/risk assessment of the M&R Facility as part of its own review process. Transco does not have authorship over this

IND39-1

Transco filed its stakeholder outreach plan on December 20, 2013. Information on the plan is provided in Section 4.8.7 of the EIS.

IND39-2

Comment noted.

IND39-3

The stakeholder outreach plan is discussed in Section 4.8.7 of the EIS.

IND39-4

See Section 4.12.1 of the EIS. The risk assessment is an internal NPS document that has not been released to the public.

IND39 – Karen Orlando (cont'd)

20131118-5017 FERC PDF (Unofficial) 11/17/2013 5:21:57 PM	
IND39-4 (cont'd)	<p>document and, therefore, is unable to submit the document to FERC. If NPS provides this document, Transco expects they will request the document be filed as critical energy infrastructure information (CEII) because it relates to security procedures and detailed pipeline components.”</p> <p>Request that FERC consider that it might be possible to black out critical energy information data and still reveal at least some of what the risk assessment says if it is submitted into FERC. If not request that FERC acknowledge whether NPS and/or FERC will be using this assessment for purposes of Section 106 and appropriateness of this adaptive reuse of the hangars and for zoning defined in GMP. The draft EIS on GNRA GMP states: “An area along Hangar Row</p>
IND39-5	<p>would be designated as <u>flexible open spaces intended to accommodate community activity such as picnics and group gatherings, and events</u>. These <u>areas could also be used for community uses such as gardens, markets, educational events and outdoor concerts and performances</u>. <u>Community activity spaces would be primarily located along Flatbush Avenue.</u>” This is not in substance that much different from how some of the area along Hangar Row is currently used although the plans and intended goals of the new GMP for both options being considered are to increase opportunities for visitors and use in this area. Request that an outreach program be initiated for Floyd Bennett Field users and NPS staff, whether living at Floyd Bennett or working there, which includes data on project construction, typical maintenance schedule for both national grid and Williams equipment in the M&R and what is involved with pigging or any releases that would need to be made for these maintenance events, what notice will be given etc.</p>
IND39-6	<p>Request clarification on what areas will be inside the work space plan such as restrooms, garden maintenance area and alternate facilities being provided for park users by the applicant. Request inclusion of /asbestos plan /schedule for crane work, pile driving, when greenway will be impacted/ and at a minimum information required by: Federal pipeline safety regulations (49 CFR 192.616 and 49 CFR 195.440) which require pipeline operators to develop and implement public awareness programs be made part of this “outreach” plan.</p>
IND39-7	<p>Thanks,</p> <p>Karen Orlando</p> <p>I am certifying all on service list received this document. (Today is Nov.17, 2013)</p>

IND39-5 Comment noted.

IND39-6 Any public outreach plan required for construction activities at Floyd Bennett Field would be at the discretion of the NPS.

IND39-7 The contents of any public outreach plan required for construction activities at Floyd Bennett Field would be at the discretion of the NPS.

IND40 – Kelly Cummins

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.

Please send copies referenced to Docket Nos. CP13-36-000 and CP13-132-000 to the addresses below.

<p><u>For Official Filing (send 2 copies):</u></p> <p>Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426</p>	<p><u>Another Copy (send 1 copy):</u></p> <p>Gas Branch 3, PJ-11.3 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426</p>
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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND40-1 The use of our public park's buildings and property for ~~the use~~ *the use* is unacceptable and highly offensive. Furthermore, the fact that drilling and other operations will be going on while I am going swimming is beyond comprehensible and terribly upsetting.

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Commentor's Name and Mailing Address *(Please print legibly)*

Kelly Cummins
112-16

¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.

IND40-1

Your opposition to the Rockaway Project is noted.

IND41 – Brian Rivera

FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND41-1 *my concern is that a schedule was published for construction for during the winter and now the schedule has been changed to the summer its a natural historic hangar and they want to place a regulated matter which is unjust.*

IND41-2

Commentor's Name and Mailing Address (Please print legibly)

Brian Rivera

21 adolphus st

Bklyn NY 11205

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IND41-1

See the response to comment CM1-14.

IND41-2

Your opposition to the use of the hangars for the M&R facility is noted.

IND42 – Jason Rosenfeld

20131119-5080 FERC PDF (Unofficial) 11/19/2013 2:44:55 PM

IND42-1 Jason Rosenfeld, Brooklyn, NY.
This project does not belong in our National Park.

Gateway National Recreation Area sees approximately 9.5 million visitors a year. The enabling legislation for Gateway states that:

"In order to preserve and protect for the use and enjoyment of present and future generations an area possessing outstanding natural and recreational features, the Gateway National Recreation Area (hereinafter referred to as the "recreation area") is hereby established."

(16 USC Chapter 1, Subchapter LXXXVII – GATEWAY NATIONAL RECREATION AREA)

Additionally:

IND42-2 The federal Pipeline and Hazardous Material Safety Administration (PHMSA) issued a Corrective Action Order to Williams Partners on Dec. 6, 2011, in connection with a massive natural gas explosion that occurred in Marengo County, Alabama, on Dec. 3, 2011, on the company's Transco pipeline. The facility that exploded in Pennsylvania March 29th, 2012, fed pressurized natural gas into the Transco pipeline.

In other words, Transco is an untrustworth partner and an unsafe actor for this project.

IND42-1 See the response to comment CM1-34.

IND42-2 See the response to comment CM1-31.

IND43 – Karen Orlando

20131119-5002 FERC PDF (Unofficial) 11/18/2013 11:03:33 PM

11/18/2013

IND43-1 The comments herein will address certain inadequacies in the draft EIS and ask for remedy from the FERC.

- 1.) Improper Consideration of Port Ambrose as an Alternative and not as a supplemental project
- 2.) Draft EIS not sufficient as it does not include impact from proposed Port Ambrose Deepwater Port which is not only reasonably foreseeable as the application on it predates the Rockaway Lateral 7C application by several months but it also appears that Port Ambrose would not be implemented if not for the Rockaway Lateral Project.
- 3.) According to 40 CFR 1502.9 c (1) (ii) a supplement to the Rockaway Lateral/Northeast Connector should be issued which includes impact from Port Ambrose Project or alternately under 40 CFR 1502.9 a revised draft EIS should be issued. The scope of review for the Rockaway Lateral and now Northeast Connector projects should include impact from Port Ambrose.

Ms. Bose,

FERC has not properly evaluated Port Ambrose in the Rockaway Draft EIS as Port Ambrose appears to be more appropriately looked at as a supplemental project rather than an alternative to the Rockaway Lateral Project.

In Section 3.3.8 FERC has evaluated Port Ambrose Project as an “alternative” which they do not find to be reasonable or practicably preferable to the Rockaway Lateral Project. While FERC is not the lead agency for Port Ambrose NEPA review nor approval process, in the draft EIS for the Rockaway Lateral and Northeast Connector Projects they do state that even the longer length of pipeline construction portion of Port Ambrose project alone would result in greater environmental impacts than the impact from the construction of the shorter pipeline segment of the Rockaway Lateral Project.

IND43-2 When reviewing system alternatives (Transco/National Grid) to the Rockaway Lateral/Northeast Connector projects in the following Section (3.3.9) FERC says that Transco would need to take the existing LNYBL pipeline out of service so that it could be uprated pursuant to the

IND43-1

See the response to comment CM1-43. The Port Ambrose Project was included in our assessment of cumulative impacts in Section 4.13 of the EIS.

IND43-2

The Port Ambrose Project and the capacity of the Lower New York Bay Lateral to receive the volumes proposed by the Port Ambrose Project, including any modifications that might be necessary to do so, are not the subject of this EIS. Also see the responses to comments CM1-43 and IND43-1.

IND43 – Karen Orlando (cont'd)

20131119-5002 FERC PDF (Unofficial) 11/18/2013 11:03:33 PM

IND43-2
(cont'd)

requirements of 49 CFR 192 in order that larger volumes of natural gas of only 100,000dths could be delivered to the existing Long Beach delivery point. This is in addition to modifying and expanding the Long Beach M&R station which would also be necessary to deliver the 100,000dths incremental supply provided by the Rockaway lateral and Northeast Connector projects according to FERC's analysis and rejection of this Transco/National Grid system alternative.

Port Ambrose aims to deliver an average of 4 and up to six times this amount (average 400 MMscf/d, maximum over 600 MMscf/d) to a tie-in with the existing NYLBL to deliver to Long Beach M&R as described by Liberty Natural Gas LLC in their application submitted to USCG and MarAd dated Sept. 28, 2012. <http://www.regulations.gov/#!docketDetail;D-USCG-2013-0363> How is this possible with current infrastructure?

In evaluating Port Ambrose as an alternative to the Rockaway Lateral Project FERC appears to be implying that Port Ambrose could deliver between 400,000 and 600,000plus dths to a tie-in on the NYLBL with current infrastructure, including MAOP and M&R design and capability in Long Beach. Request clarification from FERC on this issue. Pleading that this does not appear to be factual. Pursuant to the requirements of 49 CFR 192 for Transco's existing infrastructure can Port Ambrose deliver what their project proposes to a tie-in with the existing LNYBL to deliver to Long Beach M&R? FERC should note that the pipeline design for Port Ambrose is 26 inch diameter and also proposed to operate at 960 MAOP as well.

IND43-3

On October 21, 2013, the US. Coast Guard asked Liberty Natural Gas LLC for documentation regarding **existing pipeline distribution capacity** as part of their NEPA review of Port Ambrose. Liberty Natural Gas LLC has specifically on their website claimed that making "**optimal use of existing offshore capacity**" is one of the benefits of their project. The pipeline they are referring to and the only one their project proposes to tie into is the existing Transco LNYBL, which is a 45-year-old, 26 inch pipeline currently operating at 960 psi MAOP, having only been recently uprated to that operating pressure. (see attached letter and website referred to following parenthesis) <http://portambrose.com/project-location/> As stated to FERC previously, Liberty Natural Gas LLC also boasts no coastal land use as one of their benefits and in their application also boast their avoidance of a beach landing for any pipeline as one of their benefits or selling points. Request that FERC take a closer look at whether or not capacity currently exists

IND43-3

See the responses to comments CM1-43, IND43-1, and IND43-2.

IND43 – Karen Orlando (cont’d)

20131119-5002 FERC PDF (Unofficial) 11/18/2013 11:03:33 PM

IND43-3
(cont'd) in the LNYBL pursuant to the regulations required by PHMSA for Port Ambrose to be built as described.

IND43-4 Request that if FERC finds that it is not possible for Port Ambrose to build their project as described pursuant to the requirements of 49 CFR 192 for the existing LNYBL and existing M&R in Long Beach, it also then is likely that Port Ambrose would not be implemented as currently described without the Rockaway Lateral being built so request that a supplemental draft EIS be provided as the current draft EIS for the Rockaway Lateral/Northeast Connector projects which lacks cumulative or indirect impact from Port Ambrose is not sufficient. FERC should note that all configurations being considered for Port Ambrose, even a location many miles east and with a much longer corresponding pipeline, include a tie-in to the existing NYLBL.

Pursuant to 40 CFR 1502.9 c (1) (ii), FERC should issue a supplement to the draft EIS or alternately under 40 CFR 1502.9 a FERC should issue a revised draft EIS which includes impact from Port Ambrose. FERC should consider that the issues raised herein are substantive and neither the scope for environmental review nor the draft EIS issued are sufficient.

IND43-5 FERC should consider that not only should Williams Transco have provided factual information on the Port Ambrose Project in their Resource Reports submitted in January 2013, but that FERC should consider the possibility that Transco under Part 157 (§157.6) should also have made a full statement on the Port Ambrose application and defined it as supplemental in order to be compliant with required regulations. Liberty Natural Gas LLC appears very much to be describing their project as supplemental when stating they will be making optimal use of the existing offshore pipeline capacity of Transco's NYLBL. The application for Port Ambrose was submitted while Transco was in prefile and moreover Liberty had stated their intent to reapply with their new preferred site in early 2012, prior to public scoping period on the Rockaway Lateral project. As even National Grid was aware of Liberty Natural Gas LLC intent to build Port Ambrose, having presented with them at a Long Island Association meeting in September 2012, it seems very unlikely that Transco was unaware of the Port Ambrose project throughout 2012 and highly unlikely that they were unaware when submitting their resource reports in January 2013 either.

IND43-4 See the responses to comments CM1-43, IND43-1, and IND43-2.

IND43-5 See the response to comment CM1-43.

IND43 – Karen Orlando (cont'd)

20131119-5002 FERC PDF (Unofficial) 11/18/2013 11:03:33 PM

<http://www.longislandassociation.org/news.cfm/2012/past-events/lia-energy-environment-committee-natural-gas-day>

IND43-6 Transco's 3/19/2013 response to the Army Corps February 2013 request that they contact the USCG about the currently proposed Port Ambrose project under docket CP13-36 was the following: "There are no public dockets pending with the U.S. Coast Guard for Liberty Natural Gas projects in New York waters (see <http://www.uscg.mil/hq/cg5/cg522/cg5225/dwp.asp>). **The most recent application filed for Liberty Natural Gas with the U.S. Department of Transportation Maritime Administration was withdrawn in a letter dated April 10, 2012 (Docket No. USCG-2010-0993).**" -- Whether or not there was a public docket was not what was asked of Transco by the Army Corps. At that time Liberty Natural Gas LLC's most recent application was not the withdrawn application from earlier in 2012 but the application submitted in September 2012. It is not believable that Transco or their contractors acting for them in response could not have been able to access factual information about Port Ambrose and supply it to the Army Corps, FERC and to the public under docket CP13-36.

IND43-7 How many flags need to be raised and waved and waved and waved furiously before the FERC pays attention to what is transpiring under this docket and responds appropriately? Exactly how much non factual and misleading information is Transco going to be allowed to present to the public and to federal agencies under this docket?

I am an intervenor in this process.

Thanks,

Karen Orlando

I am certifying that all on the service list have received this document.

IND43-6

Comment noted. See the response to comment CM1-43.

IND43-7

Comment noted.

IND43 – Karen Orlando (cont'd)

The attachments to this letter are too voluminous to include in this EIS. They are available for viewing on the FERC website at <http://www.ferc.gov>. Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket No." excluding the last three digits (i.e., CP13-36, CP13-132, PF09-8), and follow the instructions. For assistance please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, contact 202-502-8659. The Category/Accession number for this submittal is 20131119-5002.

IND44 – Eleanor Preiss

20131120-5003(28933601).txt

Eleanor Preiss, Brooklyn, NY.
Re dEIS 4.1.4.2.

IND44-1 | "Transco states that the ability to forecast hurricanes several days in advance would allow it to ensure the safety and integrity of its system..."

I am curious about what Transco would do to protect the Rockaway Lateral Pipeline and environs upon learning that a hurricane was imminent. How is a company that only plans in-person inspections once every seven years going to manage to do something in the face of a hurricane? What exactly would they do? With 35 reportable accidents since 2006 it is hard to believe that FERC would trust what Transco is saying.

One of the many dangers of a mega-storm like Sandy on this pipeline is in the (endlessly inappropriate) siting of the M & R station at FBF. The purpose of the M & R station is to reduce the 960 lb per sq in pressure to a level which can be distributed into local pipelines in Brooklyn so that fires and explosions do not occur when the gas gets to its destinations. The New England Gas Workers Assoc has stated that in a flood situation the valves can get stuck open. The equipment in the station is only going to be 3' above the storm surge level of Sandy. Storms are expected to get more destructive and sea level higher as climate chaos continues so the possibility of the valves getting flooded is more and more likely.

Sandy showed the massive damage that can be done to a vulnerable strip of land like the Rockaways. Does it really make sense to put a high pressure pipeline under such an area?

Page 1

IND44-1

Comment noted. Also see the responses to comments CM1-8 and CM1-50.

IND45 – Tykalil

<p align="center">FEDERAL ENERGY REGULATORY COMMISSION</p> <p align="center">ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT</p> <p align="center">(DOCKET NOS. CP13-36-000 AND CP13-132-000)</p> <p>Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.</p>	
<p align="center"><i>Please send copies referenced to Docket Nos. CP13-36-000 and CP13-132-000 to the addresses below.</i></p>	
<p><u>For Official Filing (send 2 copies):</u></p> <p>Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426</p>	<p><u>Another Copy (send 1 copy):</u></p> <p>Gas Branch 3, PJ-11.3 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426</p>

COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND45-1 THE USE OF THE EXISTING BUILDINGS AS METER STATION'S FOR PIPING IS NOT THE BEST USE OF HISTORICALLY SIGNIFICANT BUILDINGS IN THE PARK...

THE EXISTING BUILDINGS SHOULD BE ELEVATED TO A MORE HIGHER USE PERMITTING THE BUILDING REPT USE...

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 FEDERAL ENERGY
 REGULATORY COMMISSION

Commentor's Name and Mailing Address *(Please print legibly)*

Tykalil
135 B PARKWAY APT 1K2
BRONX, NY 10450

¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "Register." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.

IND45-1

Your opposition to use of the hangars for the M&R facility is noted.

IND46 – Jacquelyn DiMitre

FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

IND46-1 *This project is an inappropriate use of our national heritage area. The new construction schedule is outrageous because we will be swimming in the water when the project is underway. Please be considerate of our community!*

Commentor's Name and Mailing Address (Please print legibly)

Jacquelyn DiMitre
382 2nd St. #5
Brooklyn, NY
11215

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IND46-1

Your opposition is noted. See the response to comment CM1-14. Land use impacts are discussed in Section 4.8 of the EIS.

IND47 – Marietta Abram

FEDERAL ENERGY REGULATORY COMMISSION ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	
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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND47-1 *Before Please postpone building of gas pipeline until after summer - it is all - to ensure the safety of the water & bacteria.*

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 REGULATORY COMMISSION

Commentor's Name and Mailing Address *(Please print legibly)*

Marietta Abram

496 2nd St #3

Bk NY 11215

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IND47-1

Comment noted.

IND48 – Kim Fraczek

20131121-5088(28937141).txt

Kim A Fraczek, Brooklyn, NY.
Dear FERC,

IND48-1 I'm writing to you as a citizen of Brooklyn, NY, urging you not to approve the Rockaway Pipeline project. I am pained to see the degradation of our National Park, home to the only camping in NYC, the largest community garden in Brooklyn, wildlife sanctuaries, my favorite beach (Riis Park with its beautiful dunes). All of this rare, precious land, water is being compromised by the natural gas industry for their personal profit. What they are doing is illegal (but make it legal with loopholes and bribes to make special Bills), dishonest and shameful. When there is so clearly a feeling of distrust for a corporation coming into our city and destroying our resources, FERC has the power to represent the people here. We don't need the gas they claim we need. This is for a much larger business prospect for them.

IND48-2 I also urge FERC to extend this comment deadline. Most of the people in this community have no idea this is happening. I urge you to take your job seriously and notify a 5 mile radius of this pipeline.

IND48-1

Comment noted.

IND48-2

See the response to comment CM1-1.

IND49 – Noah Barth

ORIGIN

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REGULATORY COMMISSION

To: Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Comments on draft EIS for combined FERC dockets CP13-36-000 and CP13-36-001
(Letter in Opposition to the Rockaway Lateral Delivery Project)

Dear Secretary Bose:

I write to communicate my opposition to the Rockaway Lateral Delivery Project, a high-pressure gas pipeline proposed by Transcontinental Gas Pipeline Company, LLC ("Transco" or Williams Transco) to be sited at the Rockaway shore primarily within Gateway National Recreation Area, Federal parkland. I understand the proposed path has the pipeline trenched into the ocean floor, running under the sand of Jacob Riis Beach, crossing under the Rockaway Inlet alongside Jamaica Bay, continuing north next to Flatbush Avenue and into a Metering & Regulating facility (M&R Station) to be built in two historic hangars at Floyd Bennett Field.

I ask you to recognize the potential harmful and unwanted impacts of the Rockaway Pipeline.

IND49-1 The Rockaways and its surrounding environs is a valuable and fragile ecosystem. The pipeline would potentially endanger fish habitats and interfere with the natural beach habitats. Added to

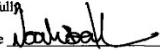
IND49-2 This Rockaways is an important evacuation route and as Hurricane Sandy has shown, facilities such as the pipeline are susceptible to damage to itself and hence causing damage to the greater area.

IND49-3 Post the immediate dangers posed by this pipeline there are larger ideological issues. This line will supply gas that is not locally needed. In the process it will disincentivize investment in renewable energy sources in favor of further fossil fuel use including hydrofracturing.

I urge the Federal Energy Regulatory Commission to refuse the requested but unwarranted Certificate of Public Convenience and Necessity, and thus halt the construction of the Rockaway Lateral Delivery Project.

Thank you.

Respectfully,

Signature  Printed Name Noah Barth

Address 3636 6th St., Brooklyn, NY 11215 Date 11/13/13

IND49-1 Impacts on shoreline habitats would be avoided by installing the pipeline under the shoreline using the HDD construction method. Impacts on fish are discussed in Sections 4.5 and 4.6 of the EIS.

IND49-2 See the responses to comments CM1-8 and CM1-11.

IND49-3 The purpose and need for the Projects are discussed in Section 1.1 of the EIS. See the response to comment CM1-24.

IND50 – Anthony Tinervia

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.

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IND50-1

COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

*TO WHOM IT MAY CONCERN - I WOULD LIKE TO VOICE MY
OPPOSITION TO THIS PROJECT FOR THE FOLLOWING
REASONS; 1 - THIS IS A NATIONAL PARK.
2 - THERE ARE HISTORICAL LAND MARKS!
3 - THERE IS A POTENTIAL OF EXPOSING PEOPLE TO
HARMFUL CHEMICALS!
4 - THIS PLACE IS LIKE NO OTHER IN THE CITY
GREEN SPACES LIKE THIS ONE SHOULD BE PROTECTED & NOT
EXPLOITED FOR COMMERCIAL GAIN!!!
5 - THE PROPOSED SCHED (SUMMER) WILL NEGATIVELY IMPACT PARK USERS*

Commentor's Name and Mailing Address (Please print legibly)

*ANTHONY TINERVIA
1274 687 ST
BKLYN. NY. 11236*

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IND50-1

Comment noted. Impacts on historic resources, including those at Floyd Bennett Field, are discussed in Section 4.10.1 of the EIS. Impacts on land uses at Floyd Bennett Field are discussed in Section 4.8.7 of the EIS. Impacts on air quality are discussed in Section 4.11.1 of the EIS. Safety is discussed in Section 4.12 of the EIS. See the response to comment CM1-14.

IND51 – Craig Brookes

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND51-1 | *I don't feel that the National Park Service should be leasing land to private utility companies. Is Flay Bennett field a National Park or an Industrial Park?*

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Commentor's Name and Mailing Address *(Please print legibly)*

Craig Brookes

11238

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IND51-1

Comment noted.

IND52 – David Plimpton

FEDERAL ENERGY REGULATORY COMMISSION ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	
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COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

IND52-1 I have been w/ this area for the last 30 years — as a beach goer, a fisher, a kayaker and a casual surfer. For the past few years I have been a fishing guide and am concerned about how this project will impact the fish. I am also very concerned about how this project will affect the historical nature of the park. This is a very special place from a historical point of view and it should not be trifled with.

Commentor's Name and Mailing Address (Please print legibly)

David Plimpton

289 Adelphi St

BK, NY 11201

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IND52-1

Comment noted. Impacts on marine species, including fish, are discussed in Sections 4.5, 4.6, and 4.7.1 of the EIS. Impacts on fisheries are discussed in Sections 4.8.4 and 4.9.6 of the EIS. Impacts on historic resources are discussed in Section 4.10.1 of the EIS.

IND53 – Anonymous

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT

(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND53-1 We do not need a gas facility to take over the old HISTORIC Airplane hangars in our National park.

IND53-2 I've written many letters about this construction; to have the scheduled date change to this up coming summer is absurd. There are many families that swim fish in those waters. The Pollution is unrecary and unhealthy for us All.

Commentor's Name and Mailing Address *(Please print legibly)*

706 Classon Ave 3R

Brooklyn NY 11238

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IND53-1

Comment noted. Impacts on historic resources are discussed in Section 4.10.1 of the EIS. Impacts on land uses are discussed in Section 4.8. See the response to comment CM1-14.

IND53-2

Comment noted. Impacts on historic resources are discussed in Section 4.10.1 of the EIS. Impacts on land uses are discussed in Section 4.8 of the EIS. See the response to comment CM1-14.

IND54 – Carroll Messimen

FEDERAL ENERGY REGULATORY COMMISSION ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	ORIGINAL
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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND54-1 *This is an inappropriate use of our national park lands in city that needs open space.*

IND54-2 *The new construction schedule will interfere with summer use of the stadium. This facility will*

Commentor's Name and Mailing Address (Please print legibly)

Carroll Messimen

Stoughton, NY 11217

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IND54-1

Comment noted.

IND54-2

See the response to comment CM1-14.

IND55 – A. Farrington

ORIGINAL

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ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND55-1 THIS NEEDS MORE DISCUSSION & INVESTIGATION

WAS USE OF OFFSHORE / DARK AIRCRAFT.

IND55-2 HAS THIS BEEN BROUGHT BEFORE THE PUBLIC &

ENVIRONMENTAL GROUPS

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Commentor's Name and Mailing Address (Please print legibly)

A. FARRINGTON

1125

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IND55-1

A discussion of impacts on land uses and visual resources is provided in Section 4.8 of the EIS.

IND55-2

See the response to comment CM1-1.

IND56 – Anne Hunter

<p>FEDERAL ENERGY REGULATORY COMMISSION</p> <p>ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)</p> <p>Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.</p>	ORIGINAL
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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND56-1 *As a resident of Brooklyn, NY, I am concerned to learn of the plan to place a gas metering station in a historic building within a national park. Why should a private commercial enterprise be able to profit from use of public recreation lands? This land is degraded for natural habitat and recreational purposes — I can not imagine why we would threaten this precious, rare resource for short term gain. Please ~~may~~ reconsider.*

Commentor's Name and Mailing Address *(Please print legibly)*

Anne Hunter
601 Franklin Ave #2
Brooklyn NY
11238

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IND56-1

See the responses to comments CM1-34 and CM1-44.

IND57 – Dave D.

FEDERAL ENERGY REGULATORY COMMISSION ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	ORIGINAL
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COMMENTS: (PLEASE PRINT LEGIBLY) <small>(attach an additional sheet if necessary)</small>	
<div style="border: 1px solid black; padding: 5px;"><small>IND57-1</small> <i>IF The City has Existed without this FOR How long What Is the need now... We the People OF NYC Have no "say" IF what we Beleive is good or Bad FOR our city.. The beaches and PARK in our city Should only Be maintained not used to BRing Profit. To another Wealthy Company.. FOR What.</i></div>	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"><small>FILED SECRETARY OF THE COMMISSION 2013 NOV 22 A 9 27 FEDERAL ENERGY REGULATORY COMMISSION</small></div>	
<small>Commentor's Name and Mailing Address (Please print legibly)</small> <i>DAVE D. BOSE</i> <i>861 union st BKLYN NY</i> <i>11217</i>	
<small>¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at http://www.ferc.gov under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "Register." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: http://www.ferc.gov/docs-filing/eComment.asp, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.</small>	

IND57-1

The purpose and need for the Projects are discussed in Section 1.1 of the EIS.

IND58 – Afterparty Jones

20131125-5002 FERC PDF (Unofficial) 11/23/2013 10:24:10 AM

Afterparty Jones, Queens, NY.
COMMENT FOR DOCKET NUMBER CP13-36-000

IND58-1 | Do I really even need to explain why I don't want #FrackDealers in my neighborhood??? These greedy crstins are already leaving a #ToxicLegacy wast of the Appalachians. We don't need any more neighbors addicted and sucking on the #FrackPipe. For the sake of #OurHolyWater, we know 1 in 20 cement casings in new #FrackMines fail the very first fuckin year, allowing hella toxic AND radioactive shit to rise up along the outside of the well, polluting the whole watershed. That alone is God Damn UNacceptable, let alone the fact that a full 50 fucking percent of all #FrackMines break during their lifetime and toxify that entire watershed?! OH HELL NO to that fucked up non-sense!! We all know how to do solar and wind and mother fuckin wave power. And don't even get me started on conservation and investing in saving energy so we don't even need more of that shit, you greedy, wasteful mother fuckers. Now, get the hell out of here with your #Frack, with yooour #FrackPipe, and with your lying-ass money-grubbin face. We don't want you here, you should fucking be in jail for your crimes against nature and us! You should be ASHAMED Of Your Fucked Up Self! Now Repent, or fuck off and die! Oh, Before That, Clean Up The Meases You Already Made First, You Fuckin Dirty Cuntz!!

IND58-1

Comment noted.

IND59 – Gladys Paulsen

20131125-5009 FERC PDF (Unofficial) 11/23/2013 7:11:49 PM

IND59-1 Gladys Paulsen, Huntington Station, NY.
I am writing to ask you to block the Rockaway Natural Gas pipeline. Inasmuch as this pipeline is located very near the Marcellus Shale play, it is obvious that gas from that shale will be used in the kitchens and heating systems of NYC. This gas has a much higher level of radon than does gas from the western US and will be poisoning the air in the small kitchens and apartments in NYC. Radon causes cancer and there have been campaigns to make sure that residents throughout the US are aware of its danger. It is dangerous and unethical to allow the highly radioactive gas to be passed into the residences of the city; the pipeline is a structure that will facilitate the poisoning of the residents and so it should never be permitted to be built.
By allowing the pipeline to be built, you will be tacitly approving of the killing of thousands of people by radon poisoning. You know it and I know it. Please use your authority to stop the killing by stopping the Rockaway pipeline.
IND59-2 Thank you for extending the time to make comments and for your willingness to hear the voice of the people.
Sincerely,
Gladys Paulsen

IND59-1 See the response to comment CM1-21.

IND59-2 Comment noted.

IND60 – William Sharfman

20131125-5012 FERC PDF (Unofficial) 11/24/2013 9:32:40 AM

IND60-1 William Sharfman, New York, NY.

Regarding the proposed Rockaway Pipeline, I call to your attention the following considerations as to why this pipeline, and all others like it, represents a huge and unacceptable risk to human life and to the environment:

This Rockaway Pipeline, and all others like it, are just that, pipelines. The question isn't if they will leak, it's when and where, and with what consequences. It isn't will they be put together with materials and labor that is at or above standard, it is at what points are corners cut by contractors, with what catastrophic consequences. Documentation for this assertion pours in daily from around the country, in similar circumstances.

All such pipelines don't just represent a possible risk for spillage and leakage, experience shows that they are going to spill and leak, and the question is simply one of where and when, and with how dire consequences.

IND60-2 In today's climate with its near hysterical insistence on fracking the countryside for gas, the gas that is carried in pipelines like the Rockaway Pipeline are filled with radioactive gas, which now far, far exceeds "safe" levels. This represents an imminent and perpetual danger to humans, habitations, animals, environment, spaces through which the pipeline sections pass, pumping stations, domestic habitations that are the ultimate end point of this gas, and as such, we are purposely engaging in an unacceptable practice that endangers.

IND60-3 Gas is not a "bridge fuel," because it is resulting in such infrastructure as the presently contemplated and already misguidedly installed around the country, and as such, it would bring an ongoing imminent danger that is really permanent and irreversible for the foreseeable future. No prudent man would undertake such a thing, and safety not only can't be guaranteed, it is sure with great certainty to be catastrophically compromised sooner or later.

For these reasons, this is an unacceptable project to even contemplate in such circumstances of urban density and human habitation and life, as well as being an intolerable risk to environmental surroundings.

IND60-1

See the response to comment CM1-53.

IND60-2

See the response to comment CM1-21.

IND60-3

Comment noted. Pipeline safety is discussed in Section 4.12 of the EIS.

IND61 – Edith Kantrowitz

20131125-5015 FERC PDF (Unofficial) 11/24/2013 8:53:46 PM

Edith Kantrowitz, Brooklyn, NY.

IND61-1 The public comment period for Docket # CP13-36-000 should be extended by at least another 120 days. The dEIS for this docket is a highly technical document of approximately 1000 pages, including 64 tables, 48 figures and 17 appendices. Members of the public, most of whom must read the dEIS during evenings and weekends, must be given a sufficient period of time to read and understand this material.

IND61-2 The public has not even been adequately made aware of the project and the opportunity to comment on the dEIS. Although there are not a large number of stakeholders involved whose private property will be affected, there is a vast number of stakeholders who are affected because the project would be carried out in our public, national park lands, which are supposed to be reserved for recreation rather than industrial use. Particularly affected are individuals who do not have the resources to travel, and therefore rely on Gateway National Recreation Area for an opportunity to experience open space and a break from the urban environment. At a minimum, notification about the project and the dEIS comment period should be made to all residents of the Rockaway Peninsula, and all residents within a 5-mile radius of Floyd Bennett Field. More public hearings should also be scheduled in the surrounding communities, and these hearings should be well publicized.

IND61-3 The above is even more true in light of the fact that (1) on October 18, 2013, Williams Transco submitted an additional 543 pages of documentation to the docket, stating that they now wish to perform construction during the summer months, rather than the winter as originally described in the dEIS; and (2) on November, 5, 2013, Williams Transco submitted to the docket an additional 555 pages of documentation concerning the siting of the Metering and Regulating Facility within the historic hangars at Floyd Bennett Field. The change from winter to summer construction largely invalidates much of what was discussed in the original dEIS, and it would not be unreasonable to suggest that the entire dEIS at this point needs to be thrown out and re-written. However, if that is not done, then as stated above, the comment period should be extended for at least another 120 days.

IND61-1 See the response to comment CM1-1.

IND61-2 See the response to comment CM1-1.

IND61-3 See the responses to comments CM1-1 and CM1-14.

IND62 – Anita Dutt

20131125-5045 FERC PDF (Unofficial) 11/25/2013 10:46:04 AM

IND62-1 anita dutt, Bronx, NY.
I am strongly opposed to new pipelines through the Rockaways or across the Hudson into Manhattan. These not only have the potential to damage important natural coastal Areas, they threaten to bring radon into our homes through the expanded use of fracked gas. This gas is anything but "natural"—the health and welfare of people should take precedence over the desires of multi-national fuel corporations.

IND62-1

Comment noted. See the response to comment CM1-21. No portion of the Rockaway Project would cross the Hudson River.

IND63 – Karen Orlando

20131125-5027 FERC PDF (Unofficial) 11/23/2013 5:50:50 PM

Draft EIS comments/Section 106/Unacceptable Impact of preferred M&R site

11/23/2013

Ms. Bose,

IND63-1 The draft EIS and all sections within it that describe effect and impact from the proposed placement of this metering and regulating station in historic hangars (Cultural Resources, Land Use, Recreation) or rather the hiding of this facility inside the facade of these buildings at Floyd Bennett field are woefully insufficient. This is likely a precedent setting adaptive reuse and historic lease for NPS and even outside of any visible effect on these buildings which there will be,(bollards & warning signs and other adaptations), any decision to adaptively reuse these hangars for a defined industrial and hazardous use requires comment and consult from the ACIIP. The public clearly has a role in Section 106 process (footnote 1) . It is most decidedly controversial and it will likely involve litigation. (footnote 2.) As Barbara Person, Joe Bonesario, IND63-2 stated quite clearly in their intervening document, IIR 2606 does not give the National Park Service the authority to issue permits or a lease for these hangars in spite of all other national park service laws. Public law 112-197 directs that the lease must be ("shall") compliant with current NPS established laws for leasing, in fact. Other intervenors such as myself, Joseph Nerone, Gay Snyder have pointed out as well that the lease would not be compliant with not only **16 USC 1a-2(k)listed below but a multitude of NPS management policies and codes.**

3) Use.--Buildings and associated property leased under paragraph (1)--

“(A) shall be used for an activity that is consistent with the purposes established by law for the unit in which the building is located;

“(B) shall not result in degradation of the purposes and values of the unit; and

“(C) shall be compatible with National Park Service programs.

IND63-1

The Section 106 process for the Projects is discussed in Section 4.10 of the EIS.

IND63-2

Comment noted. The NPS will decide whether or not to lease the hangars to Transco.

IND63 – Karen Orlando (cont'd)

20131125-5027 FERC PDF (Unofficial) 11/23/2013 5:50:50 PM

IND63-2
(cont'd) There is no directive for NPS system wide to lease historic structures for purposes that are in direct conflict with any park's purpose, the unit's purpose, the GMP for the park, nor in violation of all NPS management policies and the enabling legislation of the unit. The Service is encouraged to pursue the use only of cost-effective, innovative solutions like historic leases when practical and **when the arrangement comports with a park unit's enabling legislation.**(footnote 3.) It is not a secret that NPS has a large number of historic structures service wide, serious maintenance backlogs and any decision by the Northeast Regional Director to authorize this lease stands to have nation wide implications. (footnote 4) Our parks in NYC face many challenges and so do state parks and those run by NPS.

IND63-3 What transpired under docket PF09-8 is that the preferred site and alternatives chosen for the M&R have progressed from least effect to most effect and the current preferred site for the M&R, if it is allowed, will potentially set precedent service-wide for NPS with this lease. These hangars were not the original preferred choice nor an alternative and the National Park Service has violated both the spirit and intent of NEPA in testimony in Congress and in their support of this legislation. They have also failed to properly communicate to the public and to FERC what the scope of Section 106 and this adaptive use of the buildings are as required by law.

IND63-4 The National Park Service is a cooperating agency and it has been brought to FERC's attention more than once now that they are not representing what their responsibilities actually are under their own laws and management policies. Do park users need to list how many management policies and Director's Orders NPS is and has been violating?

IND63-5 Alternative 3 would have the least impact on Gateway National Recreation Area and on NYC parks. This area has been ceded or will be ceded to NYCDOT which makes a good fit as PHMSA operates under the DOT. <http://www.phmsa.dot.gov/> The land is mostly cleared currently and would impact both users of Marine Park golf course and GNRA, as well as surrounding communities the least. If this is not a viable alternative FERC should explore other alternatives.

Thanks,

IND63-3 Comment noted. As discussed in Section 3.5 of the EIS, we evaluated several alternative sites for the M&R facility. Also see the response to comment CM1-12.

IND63-4 Comment noted.

IND63-5 Comment noted.

IND63 – Karen Orlando (cont'd)

20131125-5027 FERC PDF (Unofficial) 11/23/2013 5:50:50 PM

Karen Orlando

I am certifying that all on the service list have received a copy of this document.

1. <http://www.law.cornell.edu/cfr/text/36/800.2>
2. <http://www.law.cornell.edu/cfr/text/36/800/appendix-A>
3. <http://www.gpo.gov/fdsys/pkg/CRPT-112hrpt331/pdf/CRPT-112hrpt331.pdf> (at page 1056)
4. <http://www.gpo.gov/fdsys/pkg/CHRG-113shrg82796/pdf/CHRG-113shrg82796.pdf>

IND64 – Rachel Scarano

20131126-5000(28942233).txt

IND64-1 Rachel Scarano, Brooklyn, NY.
I am opposed to this pipeline for many reasons. Firstly, it will transport natural gas from the Marcellus Shale, where the natural gas has a much higher radioactivity than gas from the Gulf. The process of mining natural gas in Pennsylvania, fracking or hydro fracking is a wasteful and toxic process involving millions of gallons of water and dangerous chemicals. I do not want to support this form of extreme extraction and neither do New Yorkers.
Please reject the application from Transcontinental.
Thank you.

IND64-1

See the responses to comments CM1-6 and CM1-21.

Page 1

IND65 – Rhoda Seet-Taylor

20131126-5045(28942536).txt

IND65-1 Rhoda Seet-Taylor, Brooklyn, NY.
I am writing in protest of the Rockaway Lateral Delivery Project (Docket CP13-36-000). This pipeline will bring elevated levels of radon gas into our homes (through our gas appliances) and into our neighborhoods (through gas leakage). I do not want my family exposed to elevated levels of this dangerous gas. Additionally, this pipeline will further lock our community and economy into more fracking, which itself is a whole other environmental disaster which we also do not support.

IND65-2 Please help our community and economy to transition to renewable energy sources, which will help our city reduce carbon emissions. Make NY an example to the big cities of the world on what can be accomplished if we apply sustainable, forward thinking and take consideration of the environment and the health of our citizens ahead of corporate interests and further lining the pockets of a few rich people. Thank you for your consideration.
Best regards,
Rhoda Seet-Taylor

IND65-1

See the responses to comments CM1-6 and CM1-21.

IND65-2

See the response to comment CM1-74.

IND66 – Carol Scott

20131126-5054(28942678).txt

IND66-1 Carol Scott, New York, NY.
I am very much against the Rockaway Pipeline because of the strong likelihood that
it will bring dangerous radon gas into our homes and community.

IND66-1

See the response to comment CM1-21.

Page 1

IND67 – R. Andre

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed¹.

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<u>For Official Filing (send 2 copies):</u> Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426	<u>Another Copy (send 1 copy):</u> Gas Branch 3, PJ-11.3 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426
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ORIGINAL

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NOV 26 4 11:15 PM
FEDERAL ENERGY
REGULATORY COMMISSION**

COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

*Not to the US Govt. Should not lease the historic
hangar at FBF to Commercial interest.*

IND67-1

Commentor's Name and Mailing Address (Please print legibly)

R. Andre
0257

¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.

IND67-1

Your opposition to use of the hangars for the M&R facility is noted.

IND68 – LizAnne Mazal

FEDERAL ENERGY REGULATORY COMMISSION	
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	
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NOV 26 A 10:56
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REGULATORY COMMISSION**

COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

Please don't mess with the historical structures at Floyd Bennett Field. To put gasworks infrastructure in a Nat'l Recreation Area is an absolute misuse of public properties

IND68-1

Commentor's Name and Mailing Address (Please print legibly)

LizAnne Mazal
109 Dahill Rd - 2nd Fl
B'klyn, NY 11218

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IND68-1

Your opposition to use of the hangars for the M&R facility is noted.

IND69 – Nicole Daly

20131127-5067(28945894).txt

IND69-1 Nicole Daly, Rockaway Beach, NY.
To whom it may concern,
As a Rockaway Beach resident I strongly oppose the Rockaway Beach Pipeline. I am a homeowner, frequent beach goer and nature lover, this is an outrage! How does this help my community? It does not. There is a major concern for leaks and explosions, impacts on the environment and storms. My neighborhood has already suffered through Sandy and we are not willing to compromise our safety for this pipeline. What will happen when another major storm hits our beaches again? Not to mention damage and destruction to our National Park, Floyd Bennet Field and Jacob Riis Park. Please do not allow this project to move forward.
Respectfully,
Nicole Daly

Page 1

IND69-1

Your opposition to the Rockaway Project is noted. See the response to comment CM1-8. Pipeline safety is discussed in Section 4.12 of the EIS. Impacts on NPS lands are discussed throughout the EIS.

IND70 – Melanie Frazier

20131127-5084(28946164).txt

Melanie C. Frazier, Far Rockaway, NY.
Docket # CP-13-36-000

IND70-1 | I totally disagree with having a pipeline put here in Rockaway. Please don't let
this disaster happen! Stop it now!

IND70-1

Your opposition to the Rockaway Project is noted.

Page 1

IND71 – Michelle Kaplan

20131127-5085(28946167).txt

michele kaplan, new york, NY.
Dear FERC,

- IND71-1 I am writing to you to ask that you not approve the Rockaway Pipeline Project.
Anyone who does any research on fracking, knows it's nothing short of an accident waiting to happen. It's not safe. I've seen videos where it makes the water flammable!! That is crazy that anything that can potentially (and has so often) done this would even be considered in the first place. The moment they saw that this was a frequent side effect, fracking should have been banned. Water is a basic need of life. It's not like it's a luxury.
- IND71-2 More specifically, I live in NYC. I volunteered after the Hurricane, and I saw the massive destruction that happened in The Rockaways. It looked nothing short of a war zone. That area is STILL recovering on many levels but including mold. Now they should be exposed to Radon? Are we trying to kill these people?
- IND71-3 Not only would a pipeline put The Rockaways at risk for the environmental hazards that come with fracking, (like they haven't been through enough?) but what happens when another super storm hurricane blows in? The pipelines without the encouragement of a storm seem to have problems right and left. What would happen during a storm? I am deeply concerned about that as a resident of NYC.
- IND71-4 Not to mention, I've read that this would go THROUGH the wildlife Refuge? Have we lost our minds? Is money and profit put on such a high value that we are willing risk all these things. And for what? What benefit does Fracking have (besides making the Fracking companies more wealthy)?
For these reasons and so much more, I sincerely hope (for love of anything ethical and descent) that you do not approve this plan. It is nothing short of frightening.

Page 1

- IND71-1 Your opposition to the Rockaway Project is noted. The Projects do not involve hydraulic fracturing.
- IND71-2 See the response to comment CM1-21.
- IND71-3 Pipeline safety is discussed in Section 4.12 of the EIS. See the response to comment CM1-8.
- IND71-4 The Rockaway Project does not cross a wildlife refuge. The Projects do not involve hydraulic fracturing.

IND72 – Kaylee Knowles

20131127-5194(28949452).txt

IND72-1 Kaylee Knowles, Brooklyn, NY.
I am writing to express my disapproval with the proposed Rockaway Lateral Delivery Project. This project is extremely dangerous to public health and the community. Shale-extracted gas contains radon, which is extremely dangerous and is a leading cause of lung cancer. This gas which would be transported has a higher level of radon than the established safe level given by the EPA. Any accident with transporting this gas (and history teaches us that accidents will happen) will expose thousands upon thousands of people to this cancer-causing chemical. Do not approve construction of this project!!

IND72-1

See the response to comment CM1-21.

Page 1

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT

(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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---	---

COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

As a concerned, environmentally aware, citizen of New York City, I am appalled to learn that Gateway National Recreation Area is about to be opened up for a gas metering and regulating facility. Unique sites have been federally protected in America for a reason because these areas are uncommonly beautiful and pristine. Our national parks were intended to allow Americans to enjoy recreation and natural beauty for generations into the future. Bottom line: A national park is no place for an industrial facility and it is highly likely that the visual blight and possible environmental damage - or risks to human health - will far outweigh any short-term energy benefits for our country.

Commentor's Name and Mailing Address *(Please print legibly)*

Erica Velis
312 Saint James Place, Apt. 2B
Brooklyn, NY 11238

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COMMISSION
JUN 27 4 10 35 PM '13
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IND73-1

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IND73-1

Your opposition to use of the hangars for the M&R facility is noted. Impacts on visual resources are discussed in Section 4.8.8 of the EIS.

IND74 – Robert Malfucci

<p>ORIGINAL</p> <p>1230 East 31 Street Brooklyn, NY 11210 November 19, 2013</p> <p>2013 NOV 27 A 10 35 FEDERAL ENERGY REGULATORY COMMISSION SECRETARY OF THE COMMISSION</p>	
<p>Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20426</p> <p>Secretary Bose:</p>	
IND74-1	<p>I am writing today to express my strong opposition to the Rockaway Project (docket number CP13-36-000) and the Northeast Connector Project (docket number CP13-132-000). My concern is on two levels.</p> <p>The proposed Rockaway Project would build a pipeline bringing gas in from off the Rockaways coast, under residential Breezy Point in Queens, and into Brooklyn's Floyd Bennet Field, which is part of Gateway National Park. Williams Energy wants to put a shale gas metering station in Floyd Bennet's old Hangers 1 and 2, which would place these facilities a short distance from community gardens and sports facilities enjoyed by many New Yorkers. This project is more than three years old and the National Park Service is supporting it, but since Floyd Bennet Field is part of Gateway National Park the idea of any industrial use of this parkland seems to be against the NPS mission.</p>
IND74-2	<p>I am also concerned that the Rockaways Project and the Northeast Connector Project would encourage fracking a few miles off the Rockaways coast, bringing radon-heavy shale gas through national parkland and into our homes. I believe this is quite dangerous, that it presents a significant risk of leakage and explosion in a congested urban environment, not to mention the long-term health risks of shale gas.</p>
IND74-3	<p>Please stop these projects. We need to discourage, not encourage, fossil fuel development and the infrastructure that supports it, while encouraging companies like Williams Energy to pursue cleaner technologies. I would support wind farms and tidal generators off the Rockaways coast, but energy companies need an economic incentive to build them. We need to make clean energy economical and profitable. Our laws should be pushing energy companies to invest in clean energy, not encouraging more fossil fuel development.</p> <p>Thank you.</p> <p>Sincerely,  Robert Malfucci Tel: 718-338-0672 robert.malfucci@verizon.net</p>

- IND74-1 Your opposition to the Rockaway Project is noted. See the response to comment CM1-34.
- IND74-2 The Rockaway Project does not involve hydraulic fracturing. See the response to comment CM1-21.
- IND74-3 Comment noted. Renewable energy alternatives are discussed in Section 3.2.2 of the EIS.

IND75 – Yohan Sayer

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

IND75-1

The construction plans for this project are deeply concerning. I see it as inappropriate to use the historic plane hangars at Floyd Bennett Field for the toxic and private operation of a gas facility. Similarly, the timeframe of construction on the pipeline ~~map~~ means dangerous and unsafe substances will be at risk of polluting heavily used beaches during the summer. Thanks

IND75-2

Commentor's Name and Mailing Address (Please print legibly)

Yohan Sayer
648 Flushing Ave
Brooklyn, NY

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SECRETARY OF THE
FEDERAL ENERGY
REGULATORY COMMISSION
NOV 27 4 10 37

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IND75-1

Your opposition to use of the hangars for the M&R facility is noted.

IND75-2

See the responses to comments CM1-14 and CM1-146.

IND76 – Jaan Kangur

20131129-5003(28950007).txt

IND76-1 Jaan Kangur, Arverne, NY.
I am a concerned resident of Arverne, NY in The Rockaways - as is my wife, who is expecting our first child in 4-6 weeks. I submit this comment to confirm our support to VETO R 2606/SA 2869 (the Rockaway Project). My family and I are against and strongly oppose the proposed high-pressure Rockaway pipeline. We do not support the process of hydrofracking.

Page 1

IND76-1

Your opposition to the Rockaway Project is noted. HR 2606 was signed into law in November 2012. The Rockaway Project does not involve hydraulic fracturing.

IND77 – Raymond Murphy

20131129-5004(28950009).txt

IND77-1 | Raymond Murphy, Brooklyn, NY.
The EIS should include a full discussion of the purpose and need of the proposed project, quantifying energy demand and the need for such facilities in the region. This has not been adequately discussed in the EIS.

Page 1

IND77-1

The purpose and need for the Projects are discussed in Section 1.1 of the EIS.

IND78 – Elliot Figman

20131129-5005(28950015).txt

IND78-1 | Elliot Figman, New York, NY.
The Rockaway Pipeline should not be built. It represents a serious health hazard to New Yorkers, since it will be bringing gas to our kitchens and boilers that may be highly radioactive. Until a complete and comprehensive study can be completed on the radon levels in the gas coming from the Marcellus shale, this pipeline should be on hold. Radon is the second leading cause of lung cancer. New Yorkers already have to deal with high levels of air pollution. We don't need anything else compromising our health.

Page 1

IND78-1

Your opposition to the Rockaway Project is noted. See the response to comment CM1-21.

IND79 – Sacha Moore

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND79-1 We don't want natural gas facilities in our Federal Parks. We want these lands left alone—we don't want short-term gain in exchange for long-term devastation. I love our planet but we can not continue to abuse it.

IND79-2 Sun and wind! Sun and wind! And bio-diesel—there are other ways to get energy!!!

Commentor's Name and Mailing Address *(Please print legibly)*
Sacha Moore 11201

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NOV 29 A 9 02
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IND79-1

Your opposition to use of NPS lands for the Rockaway Project is noted.

IND79-2

Comment noted. Renewable energy alternatives are discussed in Section 3.2.2 of the EIS.

IND80 – Galicia Outes

20131202-5000(28950814).txt

IND80-1 Galicia Outes, Ridgewood, NY.
I write in strong opposition to plans to build a LNG pipeline in the Rockaways in Queens, NY. We don't need more infrastructure for fracked gas, and we certainly don't need more pipelines running under sensitive wildlife habitat and national parks. As far as being a 'public convenience and necessity', it isn't, as we can get our energy needs from efficiency improvements and clean energy and should be focusing on clean renewable energy instead of more gas infrastructure.

IND80-2 Firstly, this project has already begun to be built without environmental review - this must change. National Grid has built the Brooklyn-Queens Interconnect to segment the pipeline project in order to avoid review. FERC has allowed them to do this, circumventing the law, which says a project cannot be segmented so as to avoid review. The cumulative impacts analysis should consider the environmental impacts of the National Grid pipeline, without which the Rockaway Delivery Lateral would not be constructed. FERC should include a comprehensive evaluation of the cumulative impacts of the entire project-including the National Grid pipeline-in its environmental review.

IND80-3 Secondly, the project is planned to be built under Gateway National Park, and the risk to this sensitive area from both construction of a pipeline and from explosions and leaks is too great. Gateway is a marine area that supports Essential Fish Habitat for 21 species, as well as several endangered marine mammals, birds and reptiles including the Leatherback Sea Turtle, Kemp's Ridley Sea Turtle, Green Sea Turtle, Loggerhead Sea Turtle, Roseate Tern, Piping Plover, and Seabeach Amaranth. The dEIS even acknowledges that this project also "is likely to adversely affect Atlantic Right whale and Atlantic Sturgeon.". These impacts result from a variety of factors including pile driving noise, dredging, ocean debris, and the potential for collision with vessels.

IND80-4 Besides the risk of injury and death to protected marine species from construction and from the pipeline itself, there is an unacceptable risk to the residential community and to a historic park (Floyd Bennet Field) from an accident relating to the pipeline. Pipelines can and do leak and explode, on the order of approximately 300 per year. Transco only plans in-person inspection of the pipeline every 7 years.

IND80-5 This is inadequate. In addition, the metering station is planned for an area prone to flooding, which greatly increases the likelihood of a leak. This will only increase as sea levels rise and the risk of catastrophic storms increases due to climate change.

IND80-6 While "mitigation procedures" such as monitoring protected species are described by Williams Transco, and additional reviews of potential impacts have been recommended by FERC, we have no assurance that these measures will be sufficient to avoid unacceptable environmental harms. Certainly they will not protect us from the "upstream" impacts of fracking and climate change.

Thank you for your consideration.

Page 1

- IND80-1 Your opposition to the Rockaway Project is noted. Multiple sources of gas would be available to the Projects. Energy conservation and increased energy efficiency alternatives are discussed in Section 3.2.2 of the EIS.
- IND80-2 See the responses to comments CM1-19 and CM1-56.
- IND80-3 Your opposition to the Rockaway Project is noted. Impacts on EFH are discussed in Section 4.6.3.2 of the EIS. Impacts on marine mammals are discussed in Section 4.5.2.2 of the EIS. Impacts on threatened and endangered species are discussed in Section 4.7 of the EIS. Impacts on birds are discussed in Sections 4.5.2.3, 4.5.2.4, 4.5.3, 4.7.1.5, and 4.7.5 of the EIS.
- IND80-4 The Rockaway Project would not affect residential areas. Pipeline safety is discussed in Section 4.12 of the EIS. The inspection interval complies with the DOT's Minimum Federal Safety Standards in 49 CFR Part 192.
- IND80-5 See the response to comment CM1-8.
- IND80-6 See the response to comment CM2-19.

IND81 – Leyana Dessauer

20131202-5003(28950820).txt

Leyana Dessauer, Bronxville, NY.

IND81-1 The Rockaway Pipeline is destroying our environment. The potential for leaks and explosions puts public safety at risk. The compressor stations necessary to run the pipeline release toxix chemicals such as benzene, as well as massive quantities of the potent greenhouse gas methane. To protect NY state's water, land, air and public health, the Rockaway Pipeline must be stopped.

Page 1

IND81-1

Your opposition to the Rockaway Project is noted. Pipeline safety is discussed in Section 4.12 of the EIS. Air quality impacts are discussed in Section 4.11.1 of the EIS.

IND82 – Sylvia Rodriguez

20131202-5004(28950822).txt

IND82-1 Sylvia Rodriguez, New York, NY.
I am against the opening of this pipeline.

I know this pipeline will carry fracked gas from shale which contains Radon which can cause cancer, lung cancer. I do not wish to get cancer by turning on my stove. The closer the source of Radon, the more will come through our gas stoves. Although I would prefer no radon in my home, I do have a gas stove and know that if the gas comes from the Gulf Coast, there will be less Radon as it receives more time to decay. I would like that to remain that way.

I know that there has been voluntary citizen radon testing over the past two years of NYC kitchens that show levels less than .3 picocuries per liter. I want it to stay at that level if there is no way to avoid Radon build up at all. I happen to have an old fashioned pilot light on the stove provided by management that which emits gas 24/7. That is enough Radon.

This is just one of the issues of bringing in pipelines. They basically are deadly. I choose life. Thank you for reading this and I pray you will hear what and why I and others are demanding that all these pipelines be denied.

Page 1

IND82-1

See the response to comment CM1-21.

IND83 – Melissa Plotnick

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND83-1 *I do not support the Rockaway Project. I am not in support of use of our historical site as its hub. Please do not release all these chemicals into our water!!*

IND83-2

Commentor's Name and Mailing Address *(Please print legibly)*

Melissa Plotnick 11238

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IND83-1

Your opposition to the Rockaway Project and to use of the hangars for the M&R facility is noted.

IND83-2

Water quality impacts are discussed in Section 4.3.2 of the EIS.

IND84 – Anonymous

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION*

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND84-1 *I oppose this project. I believe that we need real solutions to the climate crisis, and not economic projects that augment it like the construction of the Rockaway pipeline. We need green, union jobs to improve the position of working class people in NYC. I also oppose the use of the Mutual Heritage building for this project.*

IND84-2

Commentor's Name and Mailing Address *(Please print legibly)*

None Provided

Wash

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IND84-1

Your opposition to the Rockaway Project is noted. Renewable energy alternatives are discussed in Section 3.2.2 of the EIS. The impact of the Rockaway Project on employment is discussed in Section 4.9.1 of the EIS.

IND84-2

Your opposition to use of the hangars for the M&R facility is noted.

IND85 – Abigail Chapin

FEDERAL ENERGY REGULATORY COMMISSION ORIGINAL	
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	
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COMMENTS: (PLEASE PRINT LEGIBLY) <i>[attach an additional sheet if necessary]</i> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><p>IND85-1 <i>to build a natural gas facility in our registered historic structures is a misuse of our national park land. I moved to NYC to enjoy our urban beaches. This will result in loss of income to the city and the neighborhood in general.</i></p><p>IND85-2</p></div>	
<div style="display: flex; justify-content: space-between;"><div>Commenter's Name and Mailing Address (Please print legibly) <i>Abigail Chapin</i> <i>1408 Pacific St</i> <i>Brooklyn NY 11231</i></div><div style="text-align: center; font-size: 0.8em; font-weight: bold;">FEDERAL ENERGY REGULATORY COMMISSION 2013 DEC -2 A 9:57 SECRETARY OF THE COMMISSION</div></div>	
<small>¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at http://www.ferc.gov under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: http://www.ferc.gov/docs-filing/eComment.asp, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.</small>	

IND85-1

Your opposition to use of the hangars for the M&R facility is noted.

IND85-2

Comment noted. Socioeconomic impacts are discussed in Section 4.9. Also see Section 4.8.7 of the EIS for a discussion of land use impacts in the GNRA.

IND86 – Hilary Olesen

FEDERAL ENERGY REGULATORY COMMISSION ORIGINAL

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT-
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND86-1
A natural gas facility in our national park will serve no recreational use and does not belong in our historic heritage area. The new summertime schedule would directly impact New Yorkers and their parks.

IND86-2
The emissions that a pipeline in this ~~area~~ ^{in this} federal park land is unacceptable.

IND86-3
Commenter's Name and Mailing Address (Please print legibly)
Hilary Olesen
12 Clark St. 3B
Brooklyn, NY
11201

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- IND86-1 Your opposition to use of NPS lands for the Rockaway Project is noted.
- IND86-2 See the response to comment CM1-14.
- IND86-3 Air quality impacts are discussed in Section 4.11.1 of the EIS.

IND87 – Taylor Kim

FEDERAL ENERGY REGULATORY COMMISSION ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)		ORIGINAL
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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND87-1 *Please don't make Jacob Riis beach an industrial area by creating the pipeline. Too many people swim there and it would be hazardous for so many. Please keep it recreational use only as intended by the Parks Dept!!!*

Commentor's Name and Mailing Address *(Please print legibly)*

Taylor Kim
112 St. Marks Ave # 60
Brooklyn NY 11217.
2

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IND87-1

See the response to comment CM1-146.

IND88 – Noah Landes

FEDERAL ENERGY REGULATORY COMMISSION	
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IND88-1

COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

and bus. less under
It work in the Rockaways and I
do not want to see this move forward
up a proper hearing. Floyd Bennett
park hangars should not be used
as an industrial facility. We also
do not want to see this construction
happening on our beaches, especially
in the summer

IND88-1 See the response to comment CM1-1. Your opposition to use of the hangars for the M&R facility is noted.

IND88-2 See the responses to comments CM1-14 and CM1-146.

Commentor's Name and Mailing Address <i>(Please print legibly)</i> <u>Noah Landes</u> <u>11231</u>	FILED SECRETARY OF THE COMMISSION 2013 DEC -2 A 9 54 FEDERAL ENERGY REGULATORY COMMISSION
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IND89 – Jean Lowry Conelli

FEDERAL ENERGY REGULATORY COMMISSION	
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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND89-1 *Please leave the historic buildings at Floyd Bennett Field for public use. Floyd Bennett Field should be for public use.*

The drilling schedule should not be done in the summer which will disrupt recreational use of the area off the Rockaway.

IND89-2 *Thank-you*

Commentor's Name and Mailing Address (Please print legibly)

Jean Lowry Conelli

955 Carlton Blvd

SI NY 10312

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IND89-1 Your opposition to use of the hangars for the M&R facility is noted.

IND89-2 Impacts on recreation at Rockaway Beach due to construction and operation of the Rockaway Project are discussed in Section 4.8.7 of the EIS.

IND90 – Halina Marki-Lysik

FEDERAL ENERGY REGULATORY COMMISSION	
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COMMENTS: (PLEASE PRINT LEGIBLY) [attach an additional sheet if necessary]

IND90-1 THE REGISTERED HISTORIC HANGERS AT FLOYD BENNETT
FIELD IS NO PLACE FOR A NATURAL GAS FACILITY.
IT IS A NATIONAL PARK NOT AN INDUSTRIAL PARK.
THE NEW SUMMER TIME SCHEDULE IS NOT
ACCEPTABLE.

IND90-2 _____

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Commentor's Name and Mailing Address (Please print legibly)

HALINA MARKI-LYSIK
1130 OCEAN AVE BA
BROOKLYN NY
11230

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IND90-1

Your opposition to use of the hangars for the M&R facility is noted.

IND90-2

See the response to comment CM1-14.

IND91 – Ron Gottschack

ORIGINAL

FEDERAL ENERGY REGULATORY COMMISSION

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COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND91-1	CUTEWAY NATIONAL RECREATION PARK IS NOT JUST OUR BACKYARD IT IS AN IMPORTANT PART OF OUR LIVES. THAT MUST NOT BE PUT AT RISK BY THIS PIPELINE. THE QUALITY OF OUR RECREATIONAL AREAS CAN NOT BE COMPROMISED BY LARGE INDUSTRIAL COMPLEXES THAT DO NOT SERVE THE HISTORIC
IND91-2	INTEGRITY OF THESE STRUCTURES. AND FINALLY - THE SUMMER SCHEDULE IS OUTRAGEOUS TIMING THAT AFFECTS THE QUALITY OF MY FAMILY'S LIFE.

Commentor's Name and Mailing Address (Please print legibly)

RON GOTTSCHACK

169 EIGHTH AVE #5

BRONX, NY 10455

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IND91-1

Your opposition to the Rockaway Project and to use of the hangars for the M&R facility is noted. See the response to comment CM1-33.

IND91-2

Your opposition to summer construction is noted.

IND92 – Collin Beavan

FEDERAL ENERGY REGULATORY COMMISSION	
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	
Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below or (3) electronically filed ¹ .	
Please send copies referenced to Docket Nos. CP13-36-000 and CP13-132-000 to the addresses below.	
For Official Filing (send 2 copies):	Another Copy (send 1 copy):
Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426	Gas Branch 3, PJ-11.3 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426

COMMENTS: (PLEASE PRINT LEGIBLY) (attach an additional sheet if necessary)

IND92-1 This is not an appropriate reuse
of our historic military area + a
national recreation area.
This is crazy!

FILED
SECRETARY OF THE
COMMISSION
2013 DEC -2 A 10:12
FEDERAL ENERGY
REGULATORY COMMISSION

Commentor's Name and Mailing Address (Please print legibly)

Collin Beavan
82 Cambridge Pl, #2
Brooklyn, NY 11238

¹ The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet website at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it to a file on your hard drive. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is an "eComment" option available online at: <http://www.ferc.gov/docs-filing/eComment.asp>, which is an easy method for interested persons to submit text only comments on a project. eComment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the eComment option are placed in the public record for the specified docket or project number(s). Please note that to be added to the mailing list you will need to provide a mailing address. The comment period ends November 25, 2013.

She's not so good

IND92-1

Your opposition to use of NPS lands for the Rockaway Project is noted.

IND93 – Daniel Orme

FEDERAL ENERGY REGULATORY COMMISSION
ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND93-1 The historic buildings in our national parks are no place for a natural gas facility. We cannot continue to teach carcinogens into our fisheries and water supply. This pipeline negatively affects both recreational uses for these parks and the ecology of the surrounding area.

Commentor's Name and Mailing Address *(Please print legibly)*

Daniel Orme
225 Eastern Parkway
Brooklyn, NY 11258

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2013 DEC -2 A 10:11
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REGULATORY COMMISSION

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IND93-1

Your opposition to use of the hangars for the M&R facility is noted. Impacts on fisheries are discussed in Sections 4.5 and 4.6 of the EIS. Impacts on water quality are discussed in Section 4.3.2 of the EIS. See the response to comment CM1-33.

IND94 – David Vigil

FEDERAL ENERGY REGULATORY COMMISSION ORIGINAL

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT
(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND94-1 *I am deeply concerned about the project planned for Floyd Bennett Field. FBT is an area of great historical and ecological importance to the NYC area, and any gas infrastructure will not contribute to the character of FBT and will possibly disturb this fragile area. In addition, plans to lay the pipe during the summer will have an adverse effect on park attendance, especially on weekends during peak use.*

IND94-2

Commentor's Name and Mailing Address *(Please print legibly)*

DAVID VIGIL
792 Park Pl #46
Bklyn NY 11216

2013 DEC - 2 A 10
FEDERAL ENERGY
REGULATORY COMMISSION
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SECRETARY OF THE
COMMISSION

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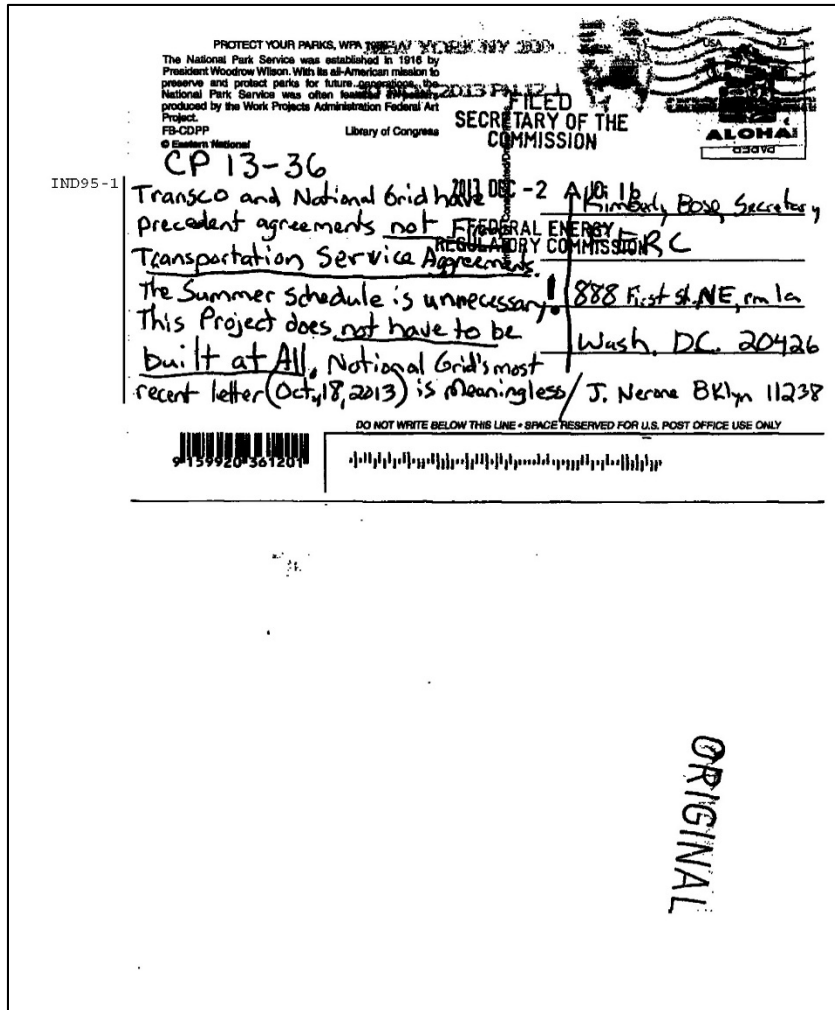
IND94-1

Your opposition to use of the hangars for the M&R facility is noted.

IND94-2

Comment noted. See the response to comment CM1-33.

IND95 – J. Nerone



IND95-1

Comment noted.

IND96 – Barbara Pearson

20131203-5021(28952134).txt

Barbara Pearson, Brooklyn, NY.
Ms. Bose

IND96-1 Recently you've received comments from the U.S Army Corps of Engineers and the U.S. Environmental Protection Agency, both of which raised no substantial concerns about the conclusions in the draft EIS.

Nowhere in their responses do either of these entities acknowledge that they are aware that the schedule proposed in the draft EIS is not the schedule currently being considered. I request that the FERC send a notification to all agencies and interested parties stating the following: 1) that the construction schedule currently under consideration differs substantially from that included in the draft EIS and 2) requesting that all responses submitted to FERC specifically state that the response applies to the currently proposed construction schedule which is for construction to occur during the summer of 2014.

Thank you.

Page 1

IND96-1

See the response to comment CM1-14.

IND97 – Karen Orlando

12/3/2013

Section 106, leasing law, Incompatibility with National Park Service Programs, Metering and Regulating Station in Floyd Bennett Field historic hangars

Ms. Bose,

IND97-1 | If the National Park Service will not represent this park properly and the citizens it was created for in commenting on effect or contributing to the draft EIS as a cooperating agency or in their responsibility under Section 106 and NEPA, please allow park users to continue to have a go at letting FERC know what the values of this park are and the National Park Service as a whole represents and how those values are presented to the public through this park's programs.

<http://www.nps.gov/gate/planyourvisit/upload/Gateway-Events-Winter.pdf> This is a link to the Visitor Program and events of Winter 2013-2014. The National Park Service has programming that showcases exactly what the values of this park and NPS are: from the area's historical and military significance, to educational instruction on the history of the civil rights movement and how some of this history overlaps with the history of the park and its prior military use, to educational programming about the natural resources in the area (wildlife and plant) whether by NPS or a park partner to healthy recreational programming including cross country skiing and four season kayaking.

I fail to see how this metering and regulating station is compatible with current NPS programs at the Jamaica Bay Unit of Gateway National Recreation Area and Floyd Bennett Field nor how the introduction of this metering station will contribute to what is valuable about this park and I am not alone in that view. History will likely be made with this lease and it is a dishonor to what this park represents and what NPS represents that the National Park Service will have played an active role in failing to protect this park by promoting this inappropriate use. We call the National Parks and the service America's best idea.

IND97-2 | NPS appears to be violating Director's Order 12 as a cooperating agency in this process. They have long been in violation of their own policies on civic engagement and public involvement. NPS testimony in Congress has violated both the spirit and intent of the NEPA process we are currently involved in. It appears very much to be limiting what alternatives there are for this metering station and it certainly appears to have influenced the selection of the preferred site for the M&R facility.

Some of the history of this park and of Floyd Bennett Field have been laid out in the FERC documents that deal with cultural resources. This history includes industrialization as early as the mid-1800's. It includes massive altering of the landscape and militarization and following all of these varying land uses

IND97-3 | the enabling legislation that created Gateway National Recreation Area. Historic interpretation and appreciation is not limited to the outside appearance of buildings. It involves educational programming and being able to connect personally and first hand with that history whether through park programming and instructing/interaction with rangers or independent exploration. A good example of

IND97-1 Comment noted. See the response to comment CM1-34.

IND97-2 Comment noted.

IND97-3 Comment noted.

IND97 – Karen Orlando (cont'd)

IND97-3
(cont'd) | this is the veterans and their work in Hangar B at the field. The adaptive reuse and rehabilitation of the exterior of these buildings for the purpose of housing a metering and regulating station provides no more opportunity for historic interpretation and instruction or connection than the hangars currently do in their state of disrepair. This metering station offers nothing of value to this park and the citizens that this park benefits and thousands of park users have said as much to NPS and to politicians. It brings risk and emissions that cannot be mitigated to zero. Is the National Park Service going to give tours, talk about where we are in the history of the National Park Service and what their role was in the passing of HR2606? Because it appears to me that as we are nearing the centennial celebration of the park service as a whole, at Gateway National Recreation Area property is being auctioned off for any purpose whatsoever because we cannot get our representatives in Congress to fund this service properly.

IND97-4 | Who will represent this park and its users, mostly NYC citizens, under docket CP13-36 if the National Park Service fails to? We are representing ourselves here in this process with our participation just as we were invited to by FERC. I ask that the FERC take us seriously in this section 106 review and in our comments on this draft EIS as you invited us to participate.

I had the opportunity to view a Snowy Owl Sunday afternoon at Floyd Bennett Field. I had the opportunity to learn about the Snowy Owl's preferred habitat from a fellow park user, a birder. I saw people all over Floyd Bennett Field engaged in recreational activities from a soccer game at Aviator to archery to gardening to people just walking by the water. I saw birds, breathtaking views of the Bay and

IND97-5 | winter buds on trees. What I saw Sunday afternoon is something that is incredibly valuable, particularly in an urban environment, which is where most of the world now lives. What this park offers the citizens of this city and the wildlife that we connect with here as they use it as habitat, even as underfunded and in the dilapidated state that this park is in, is priceless. If this is lost it cannot in this city be created ever again on such a large scale. The Jamaica Bay Unit which includes Floyd Bennett Field is the biggest expanse of open space in this city. It is the biggest piece of green and blue one can view on a google map of this city. On Dec 1, 2013 there were plenty of people using Floyd Bennett Field for the purposes the park was created for. Alternative 3 on the other hand had some trucks parked on it and a boat and that area only very recently became the place that equipment was placed.

The Jamaica Bay unit is bordered by an expanding airport, a parkway that is also under construction, developed areas and new development, varying urban land uses at all sides and rising seas. Parts of this park are not just built on fill but on landfill that deposit bottles along Dead Horse Bay. There is ongoing remediation from prior fuel spills at Floyd Bennett Field and the waters of the Bay and ocean are

IND97-6 | effected every time it rains. This park does not deserve further encroachment. It should be protected from inappropriate development and use, which was the intent of the park's enabling legislation. Its purpose has nothing to do with providing New York City with energy and Floyd Bennett Field already has land leased out for city agencies like Sanitation and the NYPD which have nothing to do with the park's purpose. That is the reason why the Blue Panel Ribbon on Floyd Bennett Field called for a moratorium on inappropriate uses at this park. The only thing the lease of these buildings does is relieve the National Park Service of the financial responsibility to take care of these buildings itself. I do not think this financial relief is a great enough benefit as it also comes at a cost and the cost will be carried by the people the park was created for. This lease threatens to open this park up to more inappropriate uses at

IND97-4 | Comment noted. The FERC considers all comments from stakeholders in complying with NEPA and Section 106 of the NHPA.

IND97-5 | Comment noted.

IND97-6 | Comment noted.

IND97 – Karen Orlando (cont'd)

IND97-6
(cont'd) a time when the National Park Service is so burdened by maintenance costs that it will only increasingly look towards historic leases and adaptive reuse to generate funds and this is particularly so at Gateway National Recreation Area. More importantly I do not believe that the National Park Service, if their view is that the financial relief is enough of a benefit to approve this use, has made that case to the public and to the people who use this park and I believe that via their management codes and policies they were required to do so prior to their decision to testify in support of this use of Floyd Bennett Field historic hangars in support of HR2606.

The National Park Service was asked by more than one person directly and in a published letter in the Canarsie Courier newspaper to have a public forum on their role in HR2606, this process and what their responsibilities were and still are. They refused.

IND97-8 I do not believe that NPS is fulfilling its responsibility to its own mission when participating as a cooperating agency under this docket. It was not so long ago that the National Park Service was successfully sued for being willing to demap and hand over historic property at Brooklyn Bridge Park. This is not an infallible agency and park users, citizens and intervenors have been pointing this out to the FERC for some time now. We have been telling you that despite letters and petitions we were shut out of the legislative process. We are telling you that this adaptive use of these buildings is not at all typical. I had written to SHPO with my concerns as well. I hope that FERC as the lead agency here considers that the public's comments here carry weight and need to be included in Section 106 review and all the parts of the draft EIS that have to do with land use, recreation and cultural resources. As Gay Snyder's recent comments on the draft FIS pointed out there is not consistency from the National Park Service as to what kinds of adaptive reuses are permissible or appropriate for Gateway National Recreation Area. Sandy Hook and Fort Hancock are not more important than Floyd Bennett Field. The National Park Service's website says as much and the information on what would be appropriate for historic leasing at Fort Hancock should be consistent with what is appropriate for Floyd Bennett Field. Consistency and being able to rationally explain decision making is also addressed in the management codes of the National Park Service.

Thanks,

Karen Orlando

I am certifying that all on the service list have received this document

IND97-7 Comment noted. See the response to comment CM1-12.

IND97-8 Comment noted. The FERC considers all comments from stakeholders in complying with NEPA and Section 106 of the NHPA.

IND97-9 Comment noted. See the response to comment CM1-34.

IND98 – Melissa Morrone

20131204-5000(28954494)

IND98-1
Melissa Morrone, Brooklyn, NY.

I am writing in reference to the Rockaway Lateral Delivery Project (Docket No. CP13-36-000). I am very concerned about the prospect of radioactive radon gas that will be brought from the Marcellus Shale via the Rockaway Pipeline to our kitchens here in New York City. As I understand, all gas extracted from shale contains radon, an inert radioactive gas that can cause lung cancer. The cancer risk from radon increases when exposure is repeated and more spread out over time, even if the exposure is at very low levels.

Studies at wellheads in the Marcellus are limited but have shown the potential for as much as 150 picocuries of radon per liter at the wellhead - far greater than the EPA's recommended ceiling of 4 picocuries per liter. This is the gas that will be coming into homes in the city, without much time to decay in transit. Radon has a half-life of 3.85 days, but gas from the Marcellus would get here much faster, in less than a day. Radon levels in NYC apartments will become higher as the proportion of Marcellus gas in our supply increases.

The government should be setting a high standard for protecting residents from environmental threats such as those that the Rockaway Pipeline creates.

IND98-1

See the response to comment CM1-21.

Page 1

IND99 – Ling Tsou

20131204-5001(28954570)

Ling Tsou, New York, NY.

IND99-1 Radon is the leading cause of lung cancer in non-smokers. The cancer risk from radon increases when exposure is repeated and more spread out over time, even if the exposure is at very low levels. In the past, the natural gas used in New York City was sourced from the Gulf Coast. The proposed Rockaway Pipeline will be bringing gas to New York City from the Marcellus Shale which is much more radioactive. The radon level in Marcellus Shale gas is much higher than gas from the Gulf Coast. Radon levels in NYC apartments will become higher as the proportion of Marcellus gas in our supply increases. Radon has a half-life (loses half of its radioactivity) of 3.85 days. Gas from the Gulf Coast takes 4-8 days to reach New York City, but gas from the Marcellus, which is physically closer to New York, would get here much faster, in less than a day so that the radon has less time to decay. This means we will be exposed to gas with dangerous levels of radon.

Many New York City kitchens are small and may not have windows for ventilation. Furthermore, many of the gas stoves in older buildings, especially in low-income neighborhoods, still have pilot lights which result in constant exposure to gas.

There are hundreds and thousands of people who work in restaurants in New York City. These restaurant workers will also be constantly exposed to dangerous level of radon in the restaurant kitchens.

If Rockaway Pipeline is allowed to be built, the number of people in New York City suffering from lung cancer will undoubtedly increase. Please protect the health and safety of New York City residents and workers from exposure to dangerous levels of radon by rejecting the permit to build the Rockaway Pipeline.

Page 1

IND99-1

See the response to comment CM1-21.

IND100 – Barbara Pearson

Re: HR2606/Local Law 112-197

Ms. Bose:

IND100-1 The agency approvals matrix that the FERC is relying on in its decision-making includes faulty information and this problem needs to be addressed before any final determination by the FERC is made. While no doubt the FERC and Transco would prefer to deem this a legal matter outside the scope of the FERC's process, the fact that the FERC is relying on these agency approvals to make their determination of whether to approve Transco's 7(c) application must therefore dictate that any challenge to the validity of Transco's claim to have acquired an approval be addressed in this process.

IND100-2 It is my contention, and will continue to be until a court of law stipulates otherwise, that the law that was passed for the purpose of allowing the NPS to lease the hangars at Floyd Bennett Field for an industrial metering and regulating station does not provide the necessary exemption from the law to which all leasing done by the NPS is subject and that, in fact, nothing short of amending The Organic Act itself *could* provide such approval. The FERC, under the circumstances, should involve the Department of the Interior's Office of the Solicitor General as a cooperating agency to affirm or refute the validity of the approval which Transco claims to have obtained through Congressional action. As an intervener and stakeholder, I request that the FERC do exactly that.

Thank you.

Barbara Pearson

I certify that a copy of this filing has been served on all parties required.

IND100-1

If the Commission issues a Certificate of Public Convenience and Necessity (Certificate) to Transco, the Order Issuing Certificate could include conditions that Transco obtain certain agency approvals prior to construction. Also see the response to comment CO11-4.

IND100-2

HR 2606 is not the subject of this EIS.

IND101 – Ann Bassen

ORIGINAL

To: Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

cc: All appropriate government officials, current and future

RE: Comments for combined FERC dockets CP13-36-000 and CP13-132-000
Letter in Opposition to the Rockaway Lateral Delivery Project, and
Petition to oppose the Spectra pipeline application

Dear Secretary Bose:

I write to communicate my opposition to the Rockaway Lateral Delivery Project (the Rockaway Pipeline), a high-pressure gas pipeline proposed by Transcontinental Gas Pipeline Company, LLC ("Transco" or Williams Transco) to be sited at the Rockaway shoreline and primarily within Gateway National Recreation Area, federal parkland.

I ask you to recognize the many harmful and unwanted impacts of the Rockaway Pipeline.

IND101-1 1) Pipelines explode. Since 1986 more than 500 people have been killed in pipeline accidents, 4000 more have injured.

IND101-2 2) Essential fish habitats will be destroyed,

IND101-3 3) Toxins will be released into water where people swim through the dredging process.

I urge the Federal Energy Regulatory Commission to refuse to provide the requested but unwarranted Certificate of Public Convenience and Necessity, and thus halt the construction of the Rockaway Lateral Delivery Project in our city.

Thank you.

Respectfully,

Signature Anne Bassen Printed Name Anne Bassen

Address 271 19th St Bklyn NY 11215

Email address anrebassen@gmail.com Date 11/27/13

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COMMISSION

2013 DEC -4 A 9 18

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- IND101-1 Comment noted. Pipeline safety is discussed in Section 4.12 of the EIS.
- IND101-2 Comment noted. As discussed in Sections 4.6.3, 4.6.4, 4.6.5, and 4.6.6 of the EIS, the Rockaway Project is not expected to result in adverse long term impacts on EFH.
- IND101-3 Comment noted. Land use impacts at Rockaway Beach are discussed in Section 4.8.7 of the EIS.

IND102 –Katie Flint

FEDERAL ENERGY REGULATORY COMMISSION ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT (DOCKET NOS. CP13-36-000 AND CP13-132-000)	ORIGINAL
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COMMENTS: (PLEASE PRINT LEGIBLY) *[attach an additional sheet if necessary]*

IND102-1	Our national park is no place for a natural gas facility. What does natural gas have to do with aviation history. The summer time schedule is horrifying and it scares me to think what chemicals will be used. Please preserve this beautiful area.
IND102-2	[Blank]
[Blank]	[Blank]
[Blank]	[Blank]
[Blank]	[Blank]

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Commentor's Name and Mailing Address (Please print legibly)

Katie Flint
 92 St. Marks Ave, Apt 3
 Brooklyn, NY 11217

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IND102-1 Your opposition to use of NPS lands for the Rockaway Project is noted.

IND102-2 Your opposition to summer construction is noted.

IND103 – John Majorino

FEDERAL ENERGY REGULATORY COMMISSION

ROCKAWAY DELIVERY LATERAL PROJECT AND NORTHEAST CONNECTOR PROJECT

(DOCKET NOS. CP13-36-000 AND CP13-132-000)

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COMMENTS: (PLEASE PRINT LEGIBLY) *(attach an additional sheet if necessary)*

IND103-1 As a Rockaway resident I value the beach. Rather than destroying the beauty of the remaining natural spaces that we have, maybe we can explore alternative renewable energies.

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SECRETARY OF THE
COMMISSION
DEC 4 A 9 16
FEDERAL ENERGY
REGULATORY COMMISSION

Commentor's Name and Mailing Address *(Please print legibly)*

John Majorino

11694

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IND103-1

Comment noted. Potential impacts on Rockaway Beach are discussed throughout the EIS. Renewable energy alternatives are discussed in Section 3.2.2 of the EIS.

IND104 – Karen Orlando

12/3/2013

Response to: Transco DEC 3, 2013 Submittal/ NPS policy/Section 106/ACHP consult/Page 5-16 draft EIS comment/106 review insufficient in scope and needs to be rectified

Ms. Bose,

As FERC generally does not have expertise on adaptive reuse and leasing of historic structures within the confines of recreation areas under jurisdiction of NPS, nor what is required by policy of NPS for legislative testimony, it would appear that FERC is and has been relying on NPS for this expertise under this docket as a cooperating agency. There are links to information about NPS Management policies as well as what is necessary for NPS testimony in Congress in a section of NPS PEPC website information here if FERC as the lead agency is interested in this information: <http://parkplanning.nps.gov/links.cfm>. One can assume that NPS might be in need of referencing this website as well.

IND104-1 As already submitted to FERC, the Congressional record shows both a House Report as well as testimony by Rep. Hastings in the House that an **agreement to lease the hangars had already been reached in exchange for NPS allowing the ROW through Riis**. This is a dumbfounding statement and report as the legislation purportedly is what gives the National Park Service the authority to consider the lease under the leasing law that Public Law 112-197 specifies and this leasing law is not park specific. Rather this law applies to leases service wide.

IND104-2 As submitted to FERC, testimony by NPS in the House and Senate gives inaccurate information about impact on the park of other alternatives outside of Gateway NRA, ones that might be preferable. NPS also provided conflicting information about how the "appropriateness" of the adaptive reuse and lease of these hangars would be decided. **In verbal statement to the Senate Subcommittee NPS states the appropriateness of this use would come through Section 106, NEPA review which we are undergoing currently.** Yet in written answer, NPS then also appeared to make a call on impact prior to scoping, 106 review, most NEPA documentation presented under dockets PF09-8 and CP13-36, with zero public input and well before even a draft EIS on this project was released. This is the very essence of an agency violating the intent of NEPA. A decision to locate this facility appears to have been made

IND104-1 See the response to comment CM1-12.

IND104-2 See the response to comment CM1-12.